

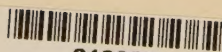
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Parliamentary Debates

VOL. XXXV.

THE
Parliamentary Debates

FROM
THE YEAR
1803
TO THE PRESENT TIME:

FORMING A CONTINUATION OF THE WORK ENTITLED
“THE PARLIAMENTARY HISTORY OF ENGLAND FROM THE EARLIEST
PERIOD TO THE YEAR 1803.”

PUBLISHED UNDER THE SUPERINTENDENCE OF
T. C. HANSARD.

VOL. XXXV.

COMPRISING THE PERIOD
FROM
THE TWENTY-EIGHTH DAY OF JANUARY,
TO
THE TWENTY-FIFTH DAY OF APRIL,
1817.

L O N D O N :

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1817.

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Parliamentary Debates

During the Fifth Session of the Fifth Parliament of the United Kingdom of Great Britain and Ireland, appointed to meet at Westminster, the Twenty-eighth Day of January 1817, in the Fifty-seventh Year of the Reign of His Majesty King GEORGE the Third.

[Sess. 1817.]

HOUSE OF LORDS.

Tuesday, January 28, 1817.

THE PRINCE REGENT'S SPEECH ON OPENING THE SESSION]. This day, at two o'clock, his royal highness the Prince Regent came down in the usual state. Being seated on the throne, his royal highness opened the Session with the following Speech to both Houses:

"My Lords and Gentlemen;

"It is with deep regret that I am again obliged to announce to you, that no alteration has occurred in the state of his Majesty's lamented indisposition.

"I continue to receive from foreign powers the strongest assurances of their friendly disposition towards this country, and of their earnest desire to maintain the general tranquillity.

"The hostilities to which I was compelled to resort, in vindication of the honour of the country, against the government of Algiers, have been attended with the most complete success.

"The splendid achievement of his majesty's fleet, in conjunction with a squadron of the king of the Netherlands, under the gallant and able conduct of admiral viscount Exmouth, led to the immediate and unconditional liberation of all Christian captives then within the territory of Algiers, and to the renunciation by its government of the practice of Christian slavery.

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"I am persuaded that you will be duly sensible of the importance of an arrangement so interesting to humanity, and reflecting, from the manner in which it has been accomplished, such signal honour on the British nation.

"In India, the refusal of the government of Nepaul to ratify a treaty of peace which had been signed by its plenipotentiaries, occasioned a renewal of military operations.

"The judicious arrangements of the governor-general, seconded by the bravery and perseverance of his majesty's forces, and of those of the East India company, brought the campaign to a speedy and successful issue; and peace has been finally established upon the just and honourable terms of the original treaty.

"Gentlemen of the House of Commons;

"I have directed the estimates for the current year to be laid before you.

"They have been formed upon a full consideration of all the present circumstances of the country, with an anxious desire to make every reduction in our establishments which the safety of the empire and sound policy allow.

"I recommend the state of the public income and expenditure to your early and serious attention.

"I regret to be under the necessity of informing you, that there has been a deficit
(B)

ciency in the produce of the revenue in the last year; but I trust that it is to be ascribed to temporary causes; and I have the consolation to believe, that you will find it practicable to provide for the public service of the year, without making any addition to the burthens of the people, and without adopting any measure injurious to that system by which the public credit of the country has been hitherto sustained.

“My Lords and Gentlemen;

“I have the satisfaction of informing you that the arrangements which were made in the last session of parliament, with a view to a new silver coinage, have been completed with unprecedented expedition.

“I have given directions for the immediate issue of the new coin, and I trust that this measure will be productive of considerable advantages to the trade and internal transactions of the country.

“The distresses consequent upon the termination of a war of such unusual extent and duration have been felt, with greater or less severity, throughout all the nations of Europe; and have been considerably aggravated by the unfavourable state of the season.

“Deeply as I lament the pressure of these evils upon the country, I am sensible that they are of a nature not to admit of an immediate remedy; but whilst I observe with peculiar satisfaction the fortitude with which so many privations have been borne, and the active benevolence which has been employed to mitigate them, I am persuaded that the great sources of our national prosperity are essentially unimpaired; and I entertain a confident expectation that the native energy of the country will at no distant period surmount all the difficulties in which we are involved.

“In considering our internal situation, you will, I doubt not, feel a just indignation at the attempts which have been made to take advantage of the distresses of the country, for the purpose of exciting a spirit of sedition and violence.

“I am too well convinced of the loyalty and good sense of the great body of his majesty's subjects, to believe them capable of being perverted by the arts which are employed to seduce them; but I am determined to omit no precautions for preserving the public peace, and for counteracting the designs of the disaffected. And I rely with the utmost confidence on your cordial support and co-operation, in upholding a system of law and government, from which we have derived inestimable advantages, which has enabled us to conclude, with unexampled glory, a contest whereon depended the best interests of mankind, and which has been hitherto felt by ourselves, as it is acknowledged by other nations, to be the most perfect that has ever fallen to the lot of any people.”

His royal highness then retired, and their lordships adjourned till five o'clock.

ATTACK ON THE PRINCE REGENT.]

At half past five o'clock, when it was expected that an address to the Prince Regent in answer to his Speech, would be moved and considered in the usual manner, Viscount Sidmouth rose and said, that before their lordships entered upon any other subject, he had one of the most important communications to make to them, that had ever been made to parliament; preparatory to which he should move the standing order for the exclusion of strangers. Strangers were accordingly ordered to withdraw. After the strangers had withdrawn, lord Sidmouth informed their lordships that as his royal highness the Prince Regent was returning from the House, and the carriage was passing in the park, at the back of the garden of Carleton-house, the glass of the carriage window had been broken by a stone, as some represented it, or by two balls, fired from an air-gun, as others stated it, which appeared to have been aimed at his royal highness. Lord James Murray, who was in the carriage with his royal highness, was called in, and Mr. Gurney, the short-hand writer, was on the close sent for. After the evidence had been taken as that afterwards given in the Commons, the House sent the two clerks (the masters in chancery not being in attendance) to desire a conference with the Commons. The conference having been held, and the

evidence communicated to the Commons, an address congratulating his royal highness on his escape was agreed to, and communicated to the Commons for their concurrence. The consideration of the Prince Regent's speech was postponed till to-morrow.

HOUSE OF COMMONS.

Tuesday, January 28.

The Usher of the black rod delivered a message from his royal highness the Prince Regent desiring the immediate attendance of the House, in the House of Peers. The Speaker with the House accordingly attended his royal highness; and being returned, several new members took the oaths and their seats.—Sir Francis Burdett gave notice, that he would on that day month, bring forward a motion on that most important subject, a reform in the representation of the people in parliament.

ADDRESS ON THE PRINCE REGENT'S SPEECH ON OPENING THE SESSION.]

The Speaker reported, that the House had attended his Royal Highness the Prince Regent, in the House of Peers, where his Royal Highness was pleased to make a most gracious Speech from the throne to both Houses of Parliament, in the name and on the behalf of his Majesty: of which he had, to prevent mistakes, obtained a copy, which he read to the House [See p. 1].

Lord *Valletort* rose to move an Address, and after expressing his entire concurrence in the sentiments contained in the Speech from the throne, proceeded to state the grounds upon which those sentiments met his cordial approbation. It was, indeed, peculiarly grateful to reflect that the great object of the war had been fully attained: that the powerful military despotism which had so long desolated Europe, and threatened our own overthrow, was completely overwhelmed; that order and tranquillity were universally restored; that the people of all nations were allowed to enjoy that peace, the preservation of which was become, in fact, a part of our religion which all the dynasties of Europe were pledged to maintain inviolate; that doctrine of legitimacy which was so essential to the happiness, the repose, and the security of all nations. With regard to the victory which had distinguished our fleet at Algiers, he con-

ceived it to form a source of unmixed congratulation: for whether viewed with reference to the motives which led to the undertaking, or the consequences which marked the result, it was most honourable to the national character, and must conduce to our solid and permanent interest. In relieving the unfortunate beings who had so long pined in captivity, and obliging the Algerine government to abandon the barbarous practice of reducing captive christians to slavery, our government had erected an immortal monument to the fame of England, and secured the universal benediction of humanity. Civilised Europe had, indeed, been too long disgraced by tolerating the horrid system of those barbarians, and it was the more creditable to the wisdom of the British government, and the valour of the British navy, that Great Britain had the merit of putting an end to those outrages against which she herself was protected by the superior power of her arms. In this case, then, the liberality of England was unquestionable, as it was universally acknowledged. There might be some who thought that enough had not been done; that the humble apology exacted for a personal affront to our consul—that the emancipation of all the christian captives—that the solemn pledge of the Algerine government, not to repeat the horrid acts which provoked the war—were not sufficient, as the dey of Algiers was likely, when he had recruited his strength, and restored his navy, to resort again to the same system. But for himself, he declared that he could by no means concur in any such opinion. The apprehension appeared to his mind to be quite visionary, considering the unimpaired power of our fleets, and the cordial disposition of all civilized states to act in concert for the prevention of such a horrible calamity.

With regard to the Nepaul war, it was notorious that this contest was forced upon us by the repeated and long continued outrages of the Nepaulesé upon the population of all the adjoining provinces, whom we were bound to protect, and that hostilities were not resorted to until the remonstrances of our government in India were found utterly unavailing. The conduct of our government was, indeed, highly meritorious. With that spirit of moderation which characterized real wisdom, and which always had signalized the principles of lord Hastings: that distinguished nobleman, endeavoured, by all the means

the resources of his great mind could devise, to conciliate the government of Nepaul before he had recourse to war. It was only when those means were found totally ineffectual that hostilities were commenced, and upon that event the vigour of the chief governor's councils became eminently conspicuous, not only in the efficiency of his preparations, and the promptitude of his movements, but in the selection of that able officer, general Ochterlony, to command the army. The result of this war was, therefore, such as might be naturally expected, and such as to form a legitimate cause of triumph in the Speech from the throne.

That Speech was, he observed, satisfactory in a peculiar degree, in the prospect it held out of every practicable retrenchment in the scale of our public expenditure. That this prospect would be realized he had not the slightest doubt. But while he felt assured that every possible reduction would be made in the public burthens, the people would, he trusted, be sensible, that the dignity, the power, and the character of our government must be duly maintained. To preserve order, to ensure security, was manifestly essential not only to the interests of our manufactures and commerce, but to the maintenance of our proper station among the nations of Europe. In this view it must be felt that nothing could be so expensive as weakness—nothing so prodigal as insecurity. It therefore became the duty of that House to assure the Prince Regent of its readiness to support that system of wise arrangement and vigorous precaution which it was evidently the policy of his royal highness's councils to pursue. The recommendation of his royal highness fully to consider our financial circumstances, would, he had no doubt, be duly attended to, and that such a system would be adopted, as was best calculated to preserve our national safety, and to maintain inviolate our great national credit. This subject, indeed, called for the most serious examination of parliament. It was true that there had been a material deficiency in the revenue, but yet not such as to create any degree of despondency. Up to the month of April last, it was notorious that our revenue had been as productive as in any former year. The falling off had taken place within the last nine months. And was it from such a circumstance that any cause could exist for despairing of the resources

of this great empire? Was it possible, from such a circumstance, to derive any justification for the gloomy calculations and melancholy prognostics of which we had lately heard so much? Similar calculations and prognostics had been frequently indulged in throughout the late war, and the energy of the country, directed by the wisdom of the government, had been always found sufficient to prove their fallacy. Why, then, should we despair of our ability to surmount all existing difficulties? The distress of the people was no doubt severe, and its severity was candidly admitted in the Speech from the throne. For that distress, however, he had no doubt that every possible remedy would be devised by the wisdom of parliament. Into a consideration of the causes of this distress he did not at present propose to enter, as the subject would be fully discussed hereafter. But there were two causes which he could not forbear from noticing, for they were indeed obvious: first, the transition from a war of twenty-three years duration to a state of peace, in which a great portion of the people had to seek for new avocations: and secondly, the reduction of the national expenditure within one year from one hundred and twenty millions to seventy millions, leaving a difference of fifty millions. It was evident, then, that such a reduction must operate to diminish the employment of a vast number of persons, who, combined with the soldiers and sailors, and others discharged from all the departments of the state, must necessarily give rise to considerable distress. The country, however, could not be surprised at such consequences, for they were naturally to be expected, and had uniformly followed the termination of every war. The country had always been found gradually to overcome such inconveniences, and why should we despair of the future.

The outcry, then, of those malcontents, who availing themselves of the existing distress, sought to inflame and infuriate the public mind, should not be allowed to damp our spirits or to depress our hopes. But the system of those malcontents must be guarded against. For they preached the most dangerous innovations. They indeed endeavoured to withdraw altogether the confidence of the people from the disposition and wisdom of parliament, and to shake the security of the constitution. In pursuance of this object a general cry was heard about universal suffrage

and annual parliaments. But it was the duty of the House to withstand such efforts, and he had no doubt that the resolution of the government would meet with an appropriate support in that House. Should it become necessary to provide measures against such evil designs, he felt satisfied that that House would be forward to do its duty by devising effectual means for the safety of that constitution it was elected to maintain, and that the danger alluded to would be completely repelled, whatever guise its authors might assume. The interest of our manufactures and commerce, as well as our vital safety called indeed upon parliament to preserve good order and tranquillity. For if that order were destroyed or endangered, those who by their capital could give employment to the people, would be found to transfer their capital and industry to other countries, where that capital and industry might be more secure. It peculiarly behoved, then, those who were most aggrieved by the want of employment, to preserve good order and tranquillity, and to rally round the government and constitution, upon whose stability and strength the preservation of those great blessings so mainly depended; for that disorder and insubordination must be fatal to their interests which should threaten the security of parliament. The House had a delicate and arduous duty to perform. The eyes of the whole country were upon them—one part of the nation looked to them for relief in its distresses, the other for the support of property and the constitution. He hoped the House would do their utmost to maintain that constitution we had so long enjoyed—a constitution which, in spite of clamour, was still unrivalled, and acknowledged to be the most perfect that had fallen to the lot of any people. The noble lord concluded by moving,

“That an humble Address be presented to his royal highness the Prince Regent, to thank his Royal Highness for his most gracious Speech:

“To assure his Royal Highness of our participation in the deep regret expressed by his Royal Highness at the continuance of his Majesty’s lamented indisposition:

“To express our satisfaction at the assurances which his Royal Highness continues to receive of the friendly disposition of foreign powers towards this country, and of their earnest desire to maintain the general tranquillity:

“To offer our humble congratulations to his Royal Highness on the complete success which has attended the hostilities to which he was compelled to resort in vindication of the honour of the country against the government of Algiers:

“To assure his Royal Highness, that we reflect with pride and satisfaction on the splendid achievement of his Majesty’s fleet, in conjunction with a squadron of the King of the Netherlands, under the gallant and able conduct of admiral viscount Exmouth, which led to the immediate and unconditional liberation of all Christian captives then within the territory of Algiers, and to the renunciation by its government of the practice of Christian slavery; and that we are duly sensible of the importance of an arrangement so interesting to humanity, and reflecting, from the manner in which it has been accomplished, such signal honour on the British nation:

“To express our thanks to his Royal Highness for informing us that peace has been concluded with the government of Nepaul, in India, upon just and honourable terms, in consequence of the judicious arrangements of the governor-general, seconded by the bravery and perseverance of his majesty’s forces, and of those of the East India company:

“To return our humble thanks to his Royal Highness for having directed the estimates for the current year to be laid before us, and for the gracious assurance that they have been formed upon a full consideration of all the present circumstances of the country, with an anxious desire to make every reduction in our establishments which the safety of the empire and sound policy allow:

“To assure his Royal Highness that we shall not fail to enter into an early and serious investigation of the state of the public income and expenditure:

“That we learn with sincere regret that there has been a deficiency in the produce of the revenue in the last year, which we shall be happy to find may be ascribed to temporary causes; and that it may be practicable to provide for the public service of the year without making any addition to the burthens of the people, and without adopting any measure injurious to that system by which the public credit of the country has been hitherto sustained:

“To return our humble thanks to his Royal Highness for his gracious commu-

nication of the progress which has been made in carrying into effect the arrangements made in the last session of parliament with a view to a new silver coinage, which we trust will be productive of considerable advantages to the trade, and internal transactions of the country :

" To assure his Royal Highness that we are fully sensible that the distresses consequent upon the termination of a war of such unusual extent and duration have been felt with greater or less severity throughout all the nations of Europe, and have been considerably aggravated by the unfavourable state of the season :

" That, while we deeply lament, with his Royal Highness, the pressure of these evils upon this country, we participate in the apprehension expressed by his Royal Highness, that they are of a nature not to admit of an immediate remedy ; and that while we observe, with peculiar satisfaction, the fortitude with which so many privations have been borne, and the active benevolence which has been employed to mitigate them, we trust it will be found that the great sources of our national prosperity are essentially unimpaired, and that the native energy of the country will, at no distant period, surmount all the difficulties in which we are involved :

" To assure his Royal Highness, that in considering our internal situation, we cannot but feel a just indignation at the attempts which have been made to take advantage of the distresses of the country, for the purpose of exciting a spirit of sedition and violence :

" That we are persuaded his Royal Highness may rely with confidence on the loyalty and good sense of the great body of his Majesty's subjects, as a security against their being perverted by the arts which are employed to seduce them ; and that, while his Royal Highness is wisely determined to omit no precautions for preserving the public peace, and for counteracting the designs of the disaffected, we shall at all times be ready to afford our cordial support and co-operation in upholding a system of law and government, from which we have derived inestimable advantages, which has enabled us to conclude, with unexampled glory, a contest whereon depended the best interests of mankind, and which has been hitherto felt by ourselves, as it is acknowledged by other nations, to be the most perfect that has ever fallen to the lot of any people."

Mr. Dawson, in rising to second the address, said, that he felt considerable embarrassment, as well from a sense of the great importance of the subject, as from a consciousness of his own incapability. The several topics alluded to in the speech of the Prince Regent, called, no doubt, for the undivided attention of the House, but there was nothing in the state of the country to justify that degree of gloom and despondency which some persons sought to produce. The speech was throughout marked by a wise candour, for while it dwelt upon those events which formed a just cause of triumph, it neither exaggerated the public distress on the one hand, nor did it attempt on the other to blindfold parliament as to the severity of its pressure. While it adverted to difficulties, which he hoped would be found to exist but for a short time, the speech from the throne called only for the congratulation of the House upon the triumph of our arms. And who could withhold that congratulation from such an achievement as that performed at Algiers? That achievement indeed, and the undertaking which led to it, served to show that Great Britain was forward to remedy an evil, by the exertion of which it could not be personally affected ; that without any immediate interest of its own, to consult, the practice of injustice or oppression towards other nations was enough to excite active interposition. This achievement, indeed, presented a further display of the gallantry of our navy, recalling to our recollection, that however dazzled we had been of late years by our military exploits, the only reason why our navy had not continued to conquer was, because it had had no enemy to contend with. The accession to our national fame which our navy had obtained in this instance, was indubitably of the utmost importance, forming, as it did, an additional bulwark for our national security, as well as for the great object of the expedition. The observation was often heard, that it would be idle to talk of the blessings of peace, if those blessings did not include a reduction of the public expense ; and that observation was undoubtedly just. But had not important reductions already taken place ; and was there not every reason to look for still further reduction. He had no doubt indeed that reduction would be carried as far as a due regard to circumstances would warrant, and that the exertion of a wise government, with the patience of a considerate people, would be

found soon to rescue us from all our difficulties. But it should be recollected that the government and the people had great and imperious duties to perform; and it became the people to consider that as they encouraged and excited the government to prosecute the late arduous contest, that in participating the glories which marked the progress and termination of that contest, they were bound patiently to bear the burthens, and honestly to discharge the debts which, through that contest, were inevitably contracted. From the consideration of this duty, then, he trusted the people of England would never allow themselves to be withdrawn by the delusive appeals of those, who, under the pretence of petitioning for a redress of grievances, were found haranguing large assemblies upon topics which were quite above the comprehension of the vulgar. [Hear, hear! from the opposition side of the House]. But the design of such demagogues could not be misunderstood. Under the pretence of declaiming about public distress, those demagogues were in fact seeking only their own private interest. Such demagogues were indeed as bad as the fanatics who went forth with the bible in one hand, and the sword in the other, preaching peace and benevolence, while they meditated war and bloodshed. But he trusted, with the speech from the throne, that the good sense and loyalty of the country would effectually defeat those wild and desperate projects. In referring to those projects, he did not mean to call upon parliament for the enactment of any strong measures to put down their authors. Their proceedings were no doubt calculated to create alarm, but those demagogues and their acts would die of themselves. He did not therefore mean that the deliberations of parliament should be influenced by the ebullitions of their fury, or that it should proceed to legislate in any vindictive spirit.

*Non civium ardor prava jubentium
Mente quatit solidâ.*

Reverting to the severity of the public distress, which he trusted that every possible means would be devised to relieve, and that with this view every practicable reduction would be made in the public expenditure, the hon. gentleman begged the people to compare their condition with that of other nations, in which great towns had been destroyed, and whole districts depopulated by the progress of the war; and hence it would be found that

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this country had not, comparatively so much reason to complain. This comparison would also suggest, that until the waste of war was repaired in other nations, which repair would require the expenditure of a considerable capital, our commerce could not be expected to resume its activity with our former customers. That expectation, however, was naturally to be indulged, and when it was realized, it must operate as a proportional stimulus to our industry, which promised to supply that deficiency of revenue alluded to in the speech from the throne; which deficiency although so serious, could not serve to justify any thing like gloom or despondency as to the financial resources of this great and enterprising country. After some further animadversions upon the several objects alluded to in the speech, and forcibly urging the propriety of maintaining an adequate military force for the fulfilment of our pledge to the allies to co-operate in the maintenance of that tranquillity in France, which was so rapidly re-establishing there—for the protection of those colonies which so materially contributed to our own domestic advantage—for the preservation of that peace and good order at home, which were so essential to our security, the hon. gentleman concluded with observing, that under all the considerations he had stated, he felt it his duty to second the address.

Mr. Ponsonby began by expressing his entire concurrence with many of the observations which had been so eloquently made by the mover and seconder of the address, and, like them, professed himself not in the smallest degree disposed to exaggerate the existing distresses of the country, or to add to the present feelings of despondency. He agreed with them, that the fate of the country was at all times, but now most particularly, placed in the hands of parliament; and that on the conduct of that House in particular, during this session, depended very much what would be the fate of the country. The first paragraph of the Speech entirely coincided with his own views, namely, that part of it which related to the late conflict with the dey of Algiers. With respect to the second, namely, that which related to the war in India, he should not at present make any remarks, though he by no means gave any pledge respecting what he should do when the question should hereafter come before the House. The rest of the speech, and the address

founded on the speech, referred principally to the revenue, and to the state of the country. On these particular points he felt himself irresistibly bound to differ from the mover and seconder of the address. It was unnecessary for him here to repeat that the Speech delivered from the throne was always considered as the production of ministers. It was proper that this should be kept in view in the observations necessarily made in parliament on the speech, as whatever remarks might be made on it, were solely made, on the ground of its being a ministerial document, and could not therefore be considered as having any allusion whatever to the illustrious personage by whom it was delivered. He merely stated this, because he intended to submit some remarks to the consideration of the House on the Speech delivered at the beginning of the last session of parliament by the commissioners, and on that which had this day been delivered by the Prince Regent. Previous, however, to doing so, he would wish a paragraph in the former to be read by the clerk, and which was accordingly read. "His Royal Highness is happy to inform you, that the manufacturers, commerce, and revenue of the United Kingdom, are in a flourishing condition. The Prince Regent laments the heavy pressure upon the country which such exertions could not fail to produce; and his Royal Highness has commanded us to assure you, that you may rely on every disposition on his part to concur in such measures of economy, as may be found consistent with the security of the country, and with that station which we occupy in Europe."

The House had now heard the professions of economy made by ministers at the opening of last session, and they were able to judge, and the country could judge, how far they were to be credited. Ministers had last year advised his Royal Highness to tell both Houses of parliament that the country was in a flourishing condition, but in no one instance had that been proved to be true. They had also said they would adopt measures of economy. It was in the recollection of the House what measures had been proposed last session, which those who brought them forward, thought to be of essential consequence to the country. These measures tended to abolish many kinds of unnecessary expenditure, and to introduce economy; but how had they been received by his Majesty's ministers? Was it

not an indisputable fact that they had on every occasion resisted them? Was it not also equally true that they decidedly opposed every exertion made to save unnecessary expenses, and resisted one proposal for economy after another, till they were, unfortunately for themselves, obliged by the votes of the House, with the greatest reluctance, to cut down what they otherwise would have strenuously clung to? When such conduct was in the recollection of the House, he desired to know what real encouragement there was now to hope that a different line of policy would be followed by ministers for the time to come? What ground had the country now to believe that ministers were more sincere than they were before, or that their conduct would be marked with more anxiety for the public welfare than it had hitherto been? It was said, that the causes of these distresses were merely temporary. He professed himself by no means actuated by any wish to exaggerate the distresses, or to give them any, even the slightest colouring. He was, on the contrary, rather willing to admit (he would say hope), that this, to a certain extent, was true. But he denied that this was the whole cause of our present calamity, and trusted he should be able to prove his assertion before he sat down. Last session we were told by the right hon. the chancellor of the Exchequer, that sufficient provision had been made to meet the exigencies of the year. It was worth while to notice how that provision had been made up, and he would therefore do so, taking it in round numbers. There were three millions on one account with the Bank, six on another, 5,600,000*l.* the surplus unapplied of the grants for the year 1815, and three millions which the right hon. gentleman assumed, would be the surplus of the consolidated fund. But he contended, there was no surplus whatever now, nay, were it necessary, he might carry the point a great way further, and say more. Much had been said respecting the propriety of preserving the public faith, and no man could be more anxious that this should be done than he was. There was, as he maintained, no existence whatever for the sinking fund, if it was considered as a means of redeeming the debt. When we spoke of a sinking fund, we obviously and unquestionably meant that it was something by which a debtor was enabled to lessen his debt. This was the obvious and indisputable meaning of a real sinking

fund, and he would be glad to learn what other rational definition could be given of it. Surely then the sinking fund, which instead of bettering the condition of the country, left it equally as bad as when it found it, deserved no such name. The revenue had now totally failed; and were they to take the whole of the sinking fund in its room, they would still be obliged to borrow a considerable sum, he would not say ten millions, but still it must be a considerable sum. It was obvious to the plainest understanding that no benefit whatever could result to the country from ten millions being taken from the public debt on one page by the operation of the sinking fund, while the same sum was added to it on the other.

While such was the real nature of the case, he begged to ask how it was possible for ministers to assert, as they had done last year, that the revenue of the country was in a flourishing condition; and now, when they saw the total destruction of the revenue, how could they declare it had arisen from merely temporary causes? Such could not certainly have arisen from a sudden transition from a state of war to a state of peace. The war undoubtedly had been long in its continuance, and had been attended during the whole of that continuance with an unparalleled expense. Still, however, no man who dispassionately viewed the subject, could admit that the return of peace had at once produced this dreadful mass of evils. It was equally worthy of remark, that at the time this Speech was delivered by the commissioners, the country was in a state of profound peace, and was so still. On the one occasion our revenue was described as flourishing, and on the other as having greatly failed. Now, if the cause of the calamity was a mere transition from war to peace, why, one might naturally ask, had the calamity not been in some degree alleviated before the present period? Twelve months had elapsed since the first speech was delivered, and instead of amelioration, the country was a thousand times worse. This could not be the case if the cause were a mere transition from war to peace. It became, therefore, the House to be extremely cautious in delivering their opinion respecting the existing distresses. He, for one, decidedly condemned the idea of their arising from temporary causes, and should have no hesitation in thinking the House guilty of attempting to delude the

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people of the country, if they gave that as their opinion. He knew that it was morally impossible for a British parliament to act in that manner, and were they to do so, then, he was persuaded, no intelligent individual in the country would believe them. The real cause of the distress were, the immense debt and taxation of the country. It was by these that the people were so dreadfully borne down as they were at present. When, therefore, we presumed to exhort the people to exercise fortitude under the trials they were called to endure, and to be patient while they made so many sacrifices, it was surely the duty of the House to speak the truth, the whole truth to the people, and not attempt to blind or delude them by a false statement of what were the real grounds of their calamity; and it was equally the duty of the House to show the country that they were determined to act as the representatives of such a nation as Great Britain were bound to act; that they were no longer to be put off their guard by the promises of ministers, but would, by rigid economy, show they felt, as representatives ought to feel, what was their duty, and would manfully and conscientiously discharge that duty. Day after day had promises of economy been made, but the painful experience of the country demonstrated how little intention there was to perform those promises. This particularly led him to believe, that by adopting the address as now proposed, the House would be only deluding the people, and exposing themselves to the danger of being hereafter blamed by their own consciences for a dereliction of duty.

Much had been said respecting the attempts made by some individuals to inflame the public mind, by stating circumstances in aggravation of the present distresses, which had no connexion with the real causes. For himself, he felt confident that no man could charge him with having ever, in the smallest degree, directly or indirectly, given any countenance to such inflammatory designs; but this he knew, that if the House wished to give the people any confidence in what they did, it was only by showing their determination to do, their duty, that that confidence could be produced. It was only by showing that they would trust to no class of ministers, whatever party those ministers might be of, but would themselves, with all that attention, anxiety, impartiality, and a love of justice, which as the representatives of a

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mighty empire they owed to their constituents, examine into and correct whatever abuses they found to exist in the public government of the country. The people naturally looked up to the wisdom and energy of parliament, and it would be painful in the extreme that the good they expected from that wisdom and energy should be withheld from them. In looking still further into the argument respecting the temporary nature of our calamities, one naturally supposed from their being called temporary, that ministers had strong expectations of some relief. Now, he would ask, where were the resources from which such relief was to come? Was it from the manufacturing interests? Alas! the painful experience of thousands demonstrated the ruin of those interests. Was it from commerce? There were in the House many commercial men, but was there one of them who would say, that he entertained the smallest hope of an improved state in that quarter? In looking around, the prospect was equally gloomy in every direction. No improvement was to be hoped for, unless the House did their duty by feeling sincerely for the people, and carrying that feeling into practice. Ministers had now declared their intention to reduce the expenditure of the country. He sincerely wished they had begun that reduction a little earlier, as they might then have secured more confidence to themselves from the people than they now unfortunately had. They had put it off as long as they could, and when the House was about to assemble, they had then begun. Now, why had they not begun sooner? He was convinced, that it was the dread of meeting parliament, not any wish of their own, that made them now commence the work. They remembered the discussions which had taken place last session, and the consequences which those discussions had produced, and, afraid to meet them again, they now began to reduce. Was it then proper, he would ask, was it reasonable, that the affairs of the country should be entrusted to the hands of men, who had discovered no wish whatever to decrease expensive establishments when no longer called for, but on the contrary showed every inclination at least to retain, if not to increase them? Besides he was at a loss to know why parliament had not been earlier assembled. Ministers must have known that the early meeting of parliament was the general wish of the country, and that no inconve-

nience could have been sustained by that wish being gratified. Had they been sincere in their professions of economy and retrenchment, they had a fair opportunity of proving that sincerity to the public by calling parliament together, and speedily beginning to carry these professions into practice. But he imagined, that whatever advantages he and those who were of his opinion might see in the speedy assembling of parliament, ministers saw the great inconveniences they should be exposed to, and therefore resolved to postpone it as long as they possibly could. The debates of last session seemed to have given them some alarm, and they therefore prevented those debates from being troublesome to them as long as they could.

Feeling these things very strongly, and feeling the absolute necessity of the House endeavouring by every exertion to secure the confidence of the people, he had prepared an amendment, respecting which he begged to say, that it contained no language of dependency or exaggeration, but a plain honest statement of facts, and a declaration by which the House, should it adopt the amendment, would come to a determination to show itself ready without delay to go into the state of the nation, and make every investigation which the urgency of the case required. Before he read that amendment, he called on the House to consider the situation in which they were now placed, and the duty they were now called to discharge to the public. The nation was at this moment looking up to the House with an awful and indescribable anxiety. Every eye was directed to their proceedings. By their discharging the duty which was now devolved on them, in the manner which they ought, they would secure the love and affection of the people, but should they act in a different manner—should they show the country that they still wished the delusion to be continued, then indeed would every claim to public confidence be lost—despondency and discontent succeed—and, to say the least, that want of union between the representative and the constituent would take place, which would be productive of the most unpleasant effects. Should his amendment be unfortunately negatived he trusted that a noble friend of his, who had last year made a motion for a committee to make inquiry into the national expenditure, would again revive his motion. It had unfortunately been lost by the unhappy influence of ministers—the influence

of course of their eloquence and arguments only—[a laugh]; but he trusted, in the event of the present amendment being lost, his noble friend would revive it. The right hon. gentleman then concluded by moving, that the following amendment be adopted in that part of the address which relates to the financial distresses of the country:—

“That we have seen with the deepest concern the continued embarrassments of our agriculture, manufactures, and commerce; the alarming deficiency of the revenue and the unexampled and increasing distresses of all classes of his majesty’s faithful subjects. Of these facts he was sure no one could have any doubt.

“That we are willing to indulge the hope that these distresses may be found, in part, to have originated from circumstances of a temporary nature, and that some alleviation of them may be produced by the continuance of peace, but that we should ill discharge our duty to his royal highness, and be guilty of countenancing a most dangerous delusion, were we to conceal from him our opinion that the pressure that now weighs so heavily on the resources of the country, is much more extensive in its operation, more severe in its effects, more deep and general in its causes, and more difficult to be removed than that which has prevailed at the termination of any former war.

“That we are firmly persuaded that the same exemplary patience and fortitude with which all ranks have hitherto borne the difficulties under which they labour, will continue to support them under such burthens as may be found indispensably necessary for the unavoidable exigencies of the public service, but that to maintain this disposition it is incumbent on this House, by a severe and vigilant exercise of its powers to prove to their fellow subjects, that the sacrifices which it may be their painful duty to make, are strictly limited to the real necessities of the state.

“That while we acknowledge the gracious dispositions announced in his royal highness’s speech from the throne, we cannot help expressing our regret that his royal highness should not have been sooner advised to adopt measures of the most rigid economy and retrenchment, particularly with respect to our military establishments; that a prompt and effectual reduction in this and every other branch of our expenditure, his majesty’s faithful Commons most naturally look as

the first step to relieve the sufferings and redress the grievances of which the people so justly complain, and that to enable themselves to assist his royal highness by their advice in the performance of a duty so imperiously called for by the present situation of the country, they will lose no time in instituting a strict inquiry into the state of the nation.”

Mr. Bathurst said, the right hon. gentleman who moved the amendment had referred to the speech of the Prince Regent at the opening of the last session of parliament, and had asked, if the language there held on particular topics could now be justified? He thought it must be felt by every one, that circumstances might change, as in this case he was of opinion they had done, so as to make it the duty of ministers to come forward now with a statement materially differing from that which they were bound to make then. The right hon. gentleman had said, that the commerce, manufactures, and revenue of the country were at that time described to be in a flourishing state, and he had asked, if this had subsequently appeared? Not content with pressing this on the House, he had represented the agriculture of the country to have been spoken of in similar terms. Now, with respect to the then state of the agriculture of the country, nothing of the kind had been advanced; but the commerce of the country was at that time certainly in a flourishing condition. On the subject of the revenue of the country, it had been truly asserted by the noble mover of the address, to have been in a prosperous situation up to the month of April. Under these circumstances, he could not discover that there was any thing in that speech, or in the events which had since occurred, with which ministers could fairly be reproached.—The next topic to which the right hon. gentleman had adverted, was that part of the speech of last year, in which the Prince Regent had expressed his disposition to concur in such measures of economy as might be recommended to him by the House. Instead of intimating that he would lend himself to any such plan which they should adopt, his royal highness might have assured them that he would recommend such measures to the adoption of his ministers. This, however, had not been asserted in the speech, and nothing had occurred that could be proved to contradict the declaration of the disposition of his royal highness to favour re-

trenchment and economy. He thought it right to offer these remarks on the speech which had been alluded to, though at the same time he felt it had no immediate reference to the subject in debate. It was now seen that the Prince Regent had been advised to recommend retrenchment, and also to advise that which he thought the right hon. gentleman opposite must have passed over from what had fallen from him while introducing his amendment. He wished to direct the right hon. gentleman's attention to that paragraph in the speech, in which, after lamenting the deficiency in the revenue, the Prince Regent suggests to the House the propriety of entering into an early investigation of the state of the income and expenditure of the country. This recommendation was echoed in the address which had been moved, and it was proposed that the House should assure his royal highness that they would not fail to enter into an early and serious investigation of the state of the income and expenditure of the country. Did the right hon. gentleman suppose his royal highness would have been advised to give such a recommendation, had not ministers been disposed to take the course which the right hon. gentleman wished them to take—had they not been sincerely desirous of such an inquiry? The retrenchment now recommended, the right hon. gentleman had said, was very well: but why was it not done sooner? On this subject he could not but think the right hon. gentleman manifested more than a fair impatience, as after a war of such magnitude and duration as the one recently brought to a close, it must be obvious that it was impossible at once to reduce the public expenditure to that which was suited to a time of peace. It must be a work of time. The right hon. gentleman had appeared to think the reductions in contemplation had been suspended for a few weeks, and were only at last brought forward, because parliament was about to assemble. From what he had said, it should almost seem that he was of opinion it was a new discovery on the part of ministers that parliament was to meet at all. It would however be felt that they knew parliament must meet, or the business could not go on; and, knowing this, it was not very likely that they should suspend the reductions about to take place for a few weeks till parliament again assembled. It would be in vain,

therefore, to state what reductions would have been made under other circumstances, or what were now in progress; as these must soon be brought in a regular way before the House, and they would be immediately followed by a motion for a full and complete investigation of the whole of the revenue and expenditure of the nation.—Leaving those allegations of the right hon. gentleman, which he had not followed up, to the eloquent explanations previously afforded by the mover and seconder of the address, he would remark, that inquiries into the present commercial and agricultural distress of the country appeared to be necessary under existing circumstances, in order to ascertain by what means they might be alleviated, and to determine whether one measure which suggested itself—the only one, he feared, by which they could be immediately relieved—would be necessary.—But the right hon. gentleman had next stated his views—not very fully to be sure—of the state of the finances of the country. Taking the utmost he could advance to be proved, it would be found to amount to little that could alarm, but it would be seen that at present he had no means of comparing the expenditure with the revenue of the country, until he knew what were the reductions that were to be made. Granting, however, that the comparison which he had attempted to make was in every respect correct, what was the result? Why, that the revenue of the country, with the sinking fund, was nearly on a par with its expenditure; and though we paid none off, we should not go on incurring debt. If this were to be regarded as that state of things which was to be permanent, he would grant that it would be very bad, as it would disappoint the reasonable hopes of the people, who had looked forward to see the public debt in the course of being paid off by means of the sinking fund. But he did not consider this situation of our affairs one at all likely to be permanent; and at present he thought it sufficient to express a hope that a very short time would prove it but temporary. The right hon. gentleman had asked, how much of the distress was temporary? In reasoning on this subject, he had appeared to confound cause and effect. He had stated, that at present there was no surplus of revenue; that the revenue and expenditure were so completely balanced, that nothing remained of the former after the latter had been

met to pay off the public debt; but he did not show that this was what we had to expect. The right hon. gentleman had said that it was so; but there were two things to be taken into the reckoning—the reductions about to be made, and the probable improvement of the revenue. One circumstance which the right hon. gentleman had not dwelt on, was to be regarded as a cause of the falling off in the revenue. The agricultural distress had produced throughout the country a great diminution of the consumption of those articles on which the taxes and manufactories depended. It was at present impossible for the farmer to indulge in those luxuries and commodities which he formerly could purchase, and from which much of the public revenue arose. He therefore looked at that as one of the great causes of the present deficiency; and the late unfavourable harvest most undoubtedly aggravated the evil. Had the crops been housed earlier, he thought it probable that a different prospect would now have been presented to our view. On the subject of our commerce, the right hon. gentleman had appealed to commercial men if they saw any immediate prospect of an increase of trade. He had made this appeal as if ministers had held out a hope of discovering something new, by which the present depression might be removed. They had done nothing of the kind. Nothing new was expected or wanted; all they looked forward to, was a revival of trade. Last year we had a great export trade, and ministers now cherished the hope of seeing it again revive. He thought there could be nobody who did not see that a variety of causes had combined to produce the present effects, which were so severely felt; and no man could say at what precise moment they would cease: but, looking at the internal state of the country, and its external relations; looking at its wealth and resources, he was satisfied that confidence would revive and prosperity return, if no disturbances again broke out, like those to which some allusion had been made, and when the agricultural interest should be restored to its proper situation. He was unwilling to adopt the views of the right hon. gentleman, as he thought it would be seen that in the speech that had been recommended by the crown, and in the address, it was proposed to pledge the House to do that which the right hon. gentleman wished to be done, namely, to

inquire into the state of the revenue and expenditure of the country. To him, therefore, it appeared, that the right hon. gentleman could obtain the object he had in view quite as well, and in a more regular way by the motion, than he could hope to gain it if his amendment were carried. On the observations which had been made as to the propriety of making those reductions sooner which were now to take place, he should only say, that till this period it had not been possible to arrange the estimates, so as to enable the House to see what were the views of government on the present state of the nation. He concluded by declaring the amendment to be wholly unnecessary.

Mr. Lamb said, that the noble lord who had opened the debate, and the hon. gentleman who had seconded the address, had in some points touched upon and explained with ability the state and prospects of the country; they had forcibly dwelt with exultation on the general state and situation of the country, and in one of the topics of their gratulation he most fully concurred; he need not say that he alluded to the prompt undertaking and effective execution of the armament against Algiers. The hon. gentleman who seconded the address had, however, carried his feelings of eulogium into a sort of poetical enthusiasm on this event—he had described it as a proof to the nations of the earth that there was nothing selfish in the policy of Great Britain towards other powers—that her aid and co-operation were always in readiness to repress the injuries inflicted upon other states, and to relieve them in their hour of calamity. He was sorry to say, that he could not concur in this unlimited panegyric, and before the hon. gentleman who had framed it could have wound his mind up to such a pitch of affectionate credulity, he should have turned his eyes to the systems which England had revived in Europe, to the dynasties she had restored, and to the forms of government she had re-enacted. Had the hon. gentleman looked at the dynasties so restored by British influence, he would have had his answer as to the liberal and enlightened policy of our ministers, in those of Spain and other nations, which they had reared from their ashes. Had the expedition to Algiers been undertaken on other grounds than those of national insult, he for one would not have consented to its existence; great as was the principle connected with

its object, he could never consent to Quixotic projects upon this general scale. England was, and he trusted ever would be, capable of maintaining her own dignity, and the Commons House of parliament, her just avenger, would ever assert her title to that uncompromising claim. There was certainly no triumph more pregnant with satisfaction, or calculated to excite more heartfelt gratitude, than that to which allusion had been made. It was to be hoped that our great object was, on that occasion, most fully and permanently established. The experience, indeed, of past ages, forbade any thing more decisive than the indulgence of a hope on such an occasion. He was satisfied that the conflict had been waged for a cause, of the justice of which there could exist no doubt, and that it had been conducted and terminated in the most efficient manner. It was greatly the interest of England, and indeed of the human race, that that atrocious traffic should have been abolished. On no other part of the speech could he bestow the same unqualified approbation. One paragraph in the Speech, which ascribed the present state of distress to the sudden termination of the war, was certainly founded upon a very unfair view of existing circumstances; it was affixing to the end of the war that consequence which ought to be attached to its continuance. It was not its conclusion, but its long continuance, that had produced the effects which were now visible, and which might have been obviated by the adoption of a different course of policy. The war was the cause, and the distinct cause of the present prevailing distress; and if it should appear in any future investigation, that an opportunity had been culpably lost of terminating that war, and, of course, with it, a part of the public distress, that was incidental to its continuance, then the culpability would attach to those who had so misconducted themselves, and who became thereby responsible for the distresses, the continuance of which they had caused. If, on the contrary, no fair opportunity had been lost of terminating the war, then the distresses which had arisen were unavoidable, and must be met by patience and forbearance. Our calamities had been produced by the war, though their complete pressure was not felt till the arrival of peace; they were thus connected with the peace in point of time, but they could not be traced to the peace as their cause. In this situation

the great object for us to pursue was, not to propagate a delusion with respect to the cause of our distress, but to take every means of alleviating it, or preventing its extension, by supporting and maintaining public credit. He stated this opinion, not from any fear that the recommendations of those who attempted to justify a breach of the national faith would be attended to, but from a firm conviction, that breaking faith with the national creditor would bring no relief to the people, or tend to remove, in any degree, the embarrassments of the country. On the contrary, he was convinced that such conduct on the part of the legislature would aggravate and extend them. If we were to trust the dictates of experience, we had it in support of this opinion. Some time ago the complaints against the landholder were as loud as they now were against the fundholder. These complaints were now heard no more, for there was no reason for them. Rents had been reduced, the landed interests were straitened in their incomes, but who had benefited by the change? The distresses of the manufacturing and labouring classes, instead of being alleviated, had been increased; they had been deprived of employment by the reduced circumstances of those who employed them, and found no advantage in the diminution of the income of those against whose wealth they clamoured. Any interference with the fundholder, he was convinced, would be productive of similar effects, instead of relieving our distress. Our situation should be supported with that firmness and patience that could alleviate every calamity, instead of leading us to attempt plans and expedients which might aggravate temporary sufferings into irretrievable ruin, by destroying entirely public confidence and national credit. But how were we to support public credit, if we did not resort to such expedients? He would answer—by economy and retrenchment. Parliament, he hoped, was prepared for entering into economical reductions; ministers, he hoped, were prepared for the task; and the country, he hoped, was likewise prepared. He said, he hoped the country was prepared for it; for, although he meant no reflection against any particular individuals, he could not refrain from observing that those who now called for economy and retrenchment might be sorry that they were adopted. It should be recollected, that retrenchment was not an unmixed good. A

strict and rigorous attention to economy, and reduction of all our establishments to the lowest possible scale, must be productive of evils to certain individuals, and he was not disposed to under-rate their sufferings; but the national good and the public security were paramount to all other considerations. The right hon. gentleman who had spoken last had contended, that there was no necessity for the amendment, to obtain the object which his right hon. friend had in view, because the address pledged the House to the same course of conduct as the amendment. This he would by no means admit. The address merely pledged the House to take into consideration the state of the public income and expenditure; whereas the amendment went much further, and embraced an inquiry into the state of the nation in all its interests, financial, commercial, political, and colonial, examining all its concerns, its extension of colonial territory, which was made the ground or the excuse of extending military and civil establishments—in short, the whole of our expenditure at home and abroad. Our commercial situation and system required revision, after such a violent change as it had lately undergone by the political circumstances of the world. The whole should be taken into consideration, with the view of ascertaining whether the regulations which had guided it in war should be continued or altered on the return of peace.—There was one subject which pressed upon the attention of all, and which would be embraced in the inquiry that the amendment of his right hon. friend proposed—he meant the poor laws. The sums raised for the support of the poor, in the shape of rates, now amounted to a tax almost as great, and on certain classes of the community certainly more oppressive than the property-tax. It was impossible that eight millions a year could be collected or administered in the manner, and for the purpose, in which this tax was collected and administered, without the greatest oppression to the landed interest, and the ultimate diminution of the industry and resources of the country. Not only this, but many other subjects, demanded an inquiry which might lead to amendments in our laws, institutions, and establishments, mild and moderate in their operation, and certain in their results upon the public prosperity and happiness. Nor ought the House to be deterred from its duty in

adopting improvements and economical reforms, by the rumours or the fears of any disturbances or breaches of the peace which they either had heard, or with which they were threatened. His opinion on this subject was always the same; it had always remained unaltered, and he believed would do so. He allowed, in their fullest extent, the rights of the people to petition for any lawful object that they thought connected with their interests, privileges, or well-being; he revered popular meetings, which were regularly and quietly conducted [Hear, hear!]; he revered the rights and the privileges which they exercised and was disposed to attend to their representations as much as any man; but when such assemblies proceeded to violence, when they led to breaches of the peace, he was for vigorous and immediate repression. This conduct he would recommend, not only from motives of public security, but from motives of tenderness and mercy to the deluded persons themselves. He deprecated all breaches of the peace, disturbance, and riot, not only for their immediate effects, but for their ultimate consequences. Tumult for liberty and right was not only dangerous and destructive, but was a liar, and never kept its promises. It led, in the end, through scenes of anarchy and blood to a political tyranny, or military despotism; the more fatal in its nature, and the more hopeless in its consequences, from the circumstances that the people were taught to take refuge under their protection from the more appalling evils of insecurity and confusion. For these reasons he would give his cordial support to the amendment of his right hon. friend. [Cries of Hear, hear!].

Mr. Charles Grant jun. said, that as far as he understood the inquiry proposed in the speech of his royal highness, it included nearly all those topics in its recommendation to parliament, which were embraced in the amendment of the right hon. gentleman; and those which were not included, would necessarily enter into the discussions of the committee that had been mentioned. In that committee the propriety of our colonial policy, and of our commercial system, would be taken into consideration. With respect to the poor-laws, that subject had been brought before the House last year, and a full examination of it deferred to the present session. He agreed with the hon. gentleman, that it would form a most important branch of that in-

quiry which the House would have to institute. He agreed also, that it would be their duty to support the public credit, which, with our agricultural prosperity, formed the two great sources of our national wealth. Nor was he disposed to question the truth of the assertion, that our present distresses were attributable to the war in some respect. But he was, at the same time, of opinion, that all the varying circumstances of our fortune during the last five and twenty years, had a more radical foundation than merely the continuance of that war. He should explain the matter upon a different principle. He would say that it was not simply a transition from a state of war to a state of peace, which had caused our distresses, but a transition of the country from a state in which it had been compelled to rely upon its own resources for food, to a state in which foreign supplies could be obtained. When the war took place, we were an importing country to a considerable extent. The continuance of the war, however, necessarily increased the price of what we imported, from the war charges, and the high rate of insurance required. An impulse was consequently given to our own agricultural system, which continued through the whole of the war. The effect of this upon the home market was immediately felt, for it gave the middling and the lower classes of society a greater power of demand for articles provided by our manufacturers. In the prosperity of our agriculture was found the prosperity of the whole kingdom. But the return of peace shook that internal system of demand and supply to its foundation. The corn bill did much towards restoring it, and, from its gradual operation, they might expect an improvement in all our manufactures, and in every branch of our trade. With regard to the disturbances that had taken place, he trusted there was but one opinion in that House upon the subject. There was a spirit at work, he was persuaded, throughout the country, of a most mischievous and daring character, which attempted to pervert our distresses into an instrument of disloyalty and sedition. The effect of its machinations, if indulged, would be the subversion of the constitution. The topics most dear to Englishmen—Magna Charta and the Bill of Rights—were brought forward by demagogues, not for the purpose of inspiring the people with an attachment to their privileges and their rights, but of irritating, poisoning,

and misleading their minds. He was one of those who would not confound the conscientious friend of reform with such persons; but he thought it unfortunate that they should be led to lend themselves as tools to strengthen the power of those who would soon discard them as too reasonable and moderate, and take the game into their own hands.——

The hon. member was proceeding, when he was interrupted by the annunciation of a message from the Lords.

ATTACK ON THE PRINCE REGENT]. The messengers were admitted, and delivered the following Message: "That the Lords do desire a present conference with this House in the painted chamber upon a subject materially affecting the safety of his royal highness the Prince Regent and the honour and dignity of parliament; and also that the Lords had directed them to inform this House, that from the absence of their usual messengers, and the urgent importance of the case, their lordships had been induced to send this message by their clerk assistant and reading clerk;"—and then the messengers withdrew.

The *Chancellor of the Exchequer* moved, that the House do send an answer to their lordships message, by messengers of its own.

The *Speaker* observed, that the unusual manner in which the communication from their lordships had been made, required that it should be marked by the way in which that House noticed it.

The messengers from the Lords were then called in, when the *Speaker* said, that he was commanded to acquaint them, that to the message from their lordships, requiring a present conference with that House, in the painted chamber, they would send an answer by messengers of their own.

The *Chancellor of the Exchequer* then moved, "That this House doth acquiesce in the reasons assigned by the Lords, for sending the said message by their clerk assistant and reading clerk, instead of the usual messengers, trusting that the same will not be drawn into precedent for the future." The motion was agreed to. He next moved, "That the House do agree to a conference with the Lords, and that a message be sent to the Lords acquainting them therewith." This motion was also carried, and lord Binning was sent to communicate it to their lordships. Upon his return. The *Speaker* observed, that the

next step was, to appoint the managers of the conference, when the chancellor of the exchequer, Mr. Ponsonby, Mr. Caning, Mr. Tierney, Mr. Brand, lord A. Hamilton, Mr. Fremantle, lord Lascelles, sir S. Romilly, Mr. Rose, Mr. Wynn, Mr. W. Smith, Mr. Bathurst, and others were named. At the expiration of about ten minutes they returned, and the chancellor of the exchequer informed the House, "That the managers had met the Lords at the conference, which was managed on the part of the Lords by the lord president of the council; and that the conference was, to acquaint this House, that the Lords having been informed of several daring outrages offered to the person of his royal highness the Prince Regent this day, in his passage from the parliament, had agreed upon an address to his royal highness thereupon; to which address the Lords desire the concurrence of this House; and that the Lords had also communicated to the managers at the conference, the name of the witness whom they had examined touching the said daring outrages; viz. the right hon. James Murray, commonly called lord James Murray."

Mr. Wynn said, that before the House proceeded to take into consideration their lordships communication, it would be proper to settle what course was to be taken as to the other business before them. For his own part, he thought that it would be difficult for the House to return to the consideration of the question respecting the Prince Regent's speech, and he should suggest that the debate on it be adjourned.

The *Chancellor of the Exchequer* was of opinion that the House would best consult its dignity, if it proceeded that afternoon to no other business, after the consideration of the attack on his royal highness.

The *Speaker* said, in whatever manner it was settled, it was convenient it should be decided then.

The *Chancellor of the Exchequer* thereupon moved, that the debate on the Prince Regent's speech be adjourned till to-morrow, which was agreed to. The House then proceeded to take into consideration the Address communicated by the Lords at the conference; and the same was read as follows:

"We his Majesty's most dutiful and loyal subjects, the Lords spiritual and temporal, in parliament assembled

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beg leave to approach your royal highness humbly to express to your royal highness our abhorrence of the outrage offered this day to your royal highness, in your royal highness's passage from parliament. We cannot reflect without the deepest concern and indignation, that there should be found within his majesty's dominions, any persons capable of an attack so daring and flagitious upon your royal highness's person; and we beg leave humbly to lay before your royal highness the earnest wishes of his majesty's faithful Lords, in which we are confident we shall be joined by all descriptions of his majesty's subjects, that your royal highness will be graciously pleased to direct the most effectual measures to be taken without delay to discover the authors and abettors of this criminal proceeding."

The *Chancellor of the Exchequer* then moved, that lord James Murray do attend this House immediately, which was agreed to; and it having been shortly after reported to the House, that lord James Murray was in attendance, it was ordered, on the motion of the chancellor of the exchequer, that his lordship be called in. Lord James Murray then appeared at the bar, and was examined, the questions being addressed to the *Speaker*, and by him to the witness.

The *Chancellor of the Exchequer*. What situation does the noble lord hold in the household of his royal highness the Prince Regent? A. That of lord of the bed-chamber.—Was the noble lord in attendance on his royal highness on his coming to open the parliament this day? Yes.—Was the noble lord in the carriage with his royal highness when he returned from the parliament? Yes.—What happened in the noble lord's own sight on that occasion. On his royal highness's return from the House, between Carleton-house gardens and St. James's gardens, the glass of the carriage on the left side of his royal highness was broken.—In what manner did the fracture appear to the noble lord to have been produced? It seemed to have been produced by two bullets of a small size, about a quarter of an inch apart.—Was the noble lord confident that the fractures must have been produced by bullets or some other substances thrown with great violence? I have not the slightest doubt that they were produced by bullets.—Did the noble lord make any other observation respecting this proceeding? About a minute after the glass was

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broken in the manner I have described, a large stone was thrown against the glass of the carriage which broke it, and three or four other stones were thrown, which struck the glass and the other parts of the carriage.—Was the glass which was broken by the large stone the same which had been perforated by the bullets? It was the same glass.—Had the noble lord time to observe the manner in which the glass was perforated, in the interval between the first fracture and the glass being finally broken? In that interval I observed the part which was first broken minutely.—Did the noble lord observe whether such a number of persons surrounded the carriage, that a pistol might be discharged, and the person by whom it was fired not immediately recognized? The crowd not being excessive near the carriage, I conceive that if a pistol had been fired with gunpowder, the person must have been observed.—Does the noble lord conclude that the first fracture was produced by a bullet discharged from some other instrument than a pistol, such as an air gun? I suppose, as I heard no report, that the bullets must have been discharged from an air gun or an air pistol, without the aid of gunpowder.

The *Speaker* then asked whether any other hon. member wished to put any questions to the witness?

Sir B. Hobhouse asked whether any bullets had been found in the carriage [Hear, hear!]? I have not heard that any bullets have been found in the carriage. I should observe, that I conceived, from the manner of the fracture, that the bullets must have come from some height, perhaps from one of the trees, of which there are many in that part of the park, in which there were several persons.

Mr. Curwen. Did the noble lord hear any noise, which induced him to suppose that the bullets had passed through the carriage? I heard no noise but that produced by the fracture of the glass.

Mr. W. Wynn. Will the noble lord be pleased to answer, whether the opposite glass was up or down?—A. It was up.

Mr. Brougham. Will the noble lord state, whether he observed two similar holes in the opposite glass? The opposite glass was not broken at all. The reason I supposed the bullets to have come from a height was, that splinters of the glass were thrown violently to the lower part of the opposite side of the carriage.

Mr. Brougham. The noble lord will be

pleased to say, whether any bullets, or similar substances, were found at the bottom of the carriage? I had no opportunity of ascertaining this, as I left the carriage immediately after the Prince Regent.

A Member. Did his royal highness the Prince Regent give any instructions afterwards to search the carriage? Not to my own knowledge.

Mr. Brougham. Will the noble lord state who were the other persons in the carriage besides the Prince Regent and himself? The duke of Montrose, who is master of the horse; he sat on the same side of the carriage on which the window was broken.

Mr. Brougham. Did the noble lord observe at the bottom of the carriage any thing but the splinters of glass? I only observed the splinters of glass at the bottom of the opposite door of the carriage.

Mr. Brougham. Will the noble lord say, whether the stone or stones which broke the window did enter the carriage? No, it did not; the glass being very thick it rebounded.

Lord Cochrane. Will the noble lord state, whether the window that was broken was next to his royal highness? His royal highness sat in the middle of the carriage.

Lord Milton. The noble lord is requested to say, whether the stone or stones that were thrown after the bullets, actually smashed the window, or only started the glass? It not only smashed the window, but also pounded the glass.

Mr. W. Wynn. Will the noble lord say, whether the glass was not of an unusual thickness? The glass was remarkably thick.

Sir Robert Heron. Will the noble lord state, who were the persons on the outside of the carriage nearest to the window that was struck? Were they soldiers or others? There was one footman by the door, and a life-guard immediately behind. No one was opposite.

A Member. Will the noble lord say, whether he supposes the bullets perforated any part of the carriage at all? I suppose they did.

Here the examination closed.

The *Chancellor of the Exchequer* then said, that the House having heard from the mouth of the noble lord the particulars of this daring outrage on the person of the Prince Regent, would require, he presumed, no other reasons to induce them to adopt the address which the Lords had communicated, especially when it was considered

that this flagitious attempt took place while his royal highness was returning from the exercise of the royal prerogative in opening the session. He then moved, "That this House doth agree with the Lords in the said address."

Mr. *Ponsonby* suggested that the address should be read a second time. The address having been again read, he said, that he believed he only expressed the unanimous opinion of the House, when he cordially expressed his conviction of the propriety of the address [Hear, hear!]. That the fracture in the glass of the carriage of his royal highness had been produced by bullets did not, he thought, clearly appear from the evidence of his lordship. Whether it was or was not thus produced, it was of little consequence at that time to consider; for though it might be of some importance with regard to the guilt of the person by whom the crime was committed, it could not have the smallest influence on the decision of the House.

The Address communicated by the Lords was agreed to *nem.con.* It was then ordered that the members of the House who were of the privy council should wait on his royal highness to know when he would be pleased to receive the address.

HOUSE OF LORDS.

Wednesday, January 29.

ATTACK UPON THE PRINCE REGENT.] Their lordships met at 2 o'clock for the purpose of carrying up the joint-address of both Houses on the recent attack upon his Royal Highness, and proceeded to Carlton House with the usual formalities. The House met again at 5 o'clock, when the Lord Chancellor informed their lordships, that both Houses had been up with the Address, and that his Royal Highness had been pleased to return the following Answer thereto:

"My lords and gentlemen;

"This additional proof of the strong feelings of duty and loyalty which animate the two Houses of parliament, affords me the highest gratification.

"Relying with the utmost confidence on the steady attachment of his majesty's subjects, I have nothing to regret on this occasion but a flagrant violation of the laws and constitution.

"I shall cause such steps to be immediately taken as may be best calculated to bring to justice and punishment the persons concerned in an offence so

dangerous to the public peace, and so injurious to the best interests of the country."

ADDRESS ON THE PRINCE REGENT'S SPEECH AT THE OPENING OF THE SESSION.] On the order of the day being read for taking into consideration the Prince Regent's most gracious Speech from the throne, the Speech was read by the reading clerk at the table.

The Earl of *Dartmouth* rose to move an address of thanks. His lordship said, he sincerely wished that upon this occasion it was in his power to congratulate their lordships and the country on the present aspect of affairs; but although he was unable to do so to the extent of his wishes, yet he could at least call their attention to the consideration of many circumstances stated in the Speech of his royal highness which afforded much consolation. It was a satisfaction to himself, and he had no doubt it would be to their lordships, to learn that his royal highness had continued to receive from the foreign powers assurances of their friendship; all would be rejoiced to know, that no interruption was likely to occur to that repose and tranquillity of which this country so much stood in need. It was this that tended to the advancement of civilization, and to the promotion of general happiness and prosperity. His lordship then adverted to the depredations and insults of the Barbary corsairs, whose conduct made it absolutely necessary for this government to take measures to put a stop to christian slavery, and to barbarous oppression. A war was accordingly commenced against these piratical states, and it fell to the lot of lord Exmouth to command the combined fleet destined for the attack of these barbarians. In the event it was proved, that this grand enterprise could not have been committed to the care of an officer more fitted for the undertaking—to one who had proved himself not only most brave and skilful, but most zealous in the cause in which he was employed. The dey of Algiers treated with contempt the just demands of the British forces, and trusted to his own powers and to the strength of his own fortifications; but fortunately he was soon taught, that neither the strength of his towers, nor the obstinate bravery of his troops, could effectually resist the valour and intrepidity of British officers and British seamen. The contest was main-

tained with unabated ardour; the Algerine fleet was destroyed, and the dey was ultimately obliged to accede to those terms which the British government thought proper to impose. The christian captives were set at liberty, and all the objects for which the war was undertaken were finally achieved.—In the East his majesty's land forces had been no less successful; and, seconded by the judicious arrangements of the governor-general, the British government had been enabled to bring to an honourable termination a war which had been unavoidably undertaken. Thus did the whole of the British empire, even to its most distant parts, enjoy profound peace.—In looking to the internal state of the country, he was sorry to say some circumstances had occurred which called for feelings of a less agreeable nature. The disloyal and disaffected had taken advantage of the present calamitous state of the country, and had endeavoured to create insubordination and disturbance; but it was evident to all who had inquired into the subject, that the existing distresses could only be ascribed to the sudden transition from war to peace, and that, heavy as they pressed upon the poorer classes of the community, they could only be considered as temporary evils, which would in a short time be brought to a favourable termination. The injury which the agricultural interest had sustained, so deeply felt at the present moment, must be ascribed to the very great quantity of grain lately imported, which, of course, produced a diminution in the price of the article. Another cause also of this agricultural distress was the reduction of the expense of the government, and the consequent diminution of demand for produce, at the termination of so protracted a contest. The impoverished state of the finances of foreign nations, in consequence of the expensive wars they had undertaken, might be added to the scale, and the enterprising spirit of trade itself had in some measure contributed to the general stagnation. It was a well-known fact, that the British merchants, from the first moment of the proclamation of peace, had so glutted the foreign markets with articles of British manufacture, that those goods were now either actually lying dead upon their hands, or they were obliged to sell them considerably below prime cost. A similar stagnation was known to have existed at the termination

of former wars; and it was equally well known, that after no very long interval, these distressing evils had been surmounted. He entertained very little doubt, but that such would be the case on the present occasion, especially when he considered the improved state of the agriculture of the kingdom, the perfection to which the use of machinery had been brought, and the immense advantages of our invaluable colonies. This hope was greatly strengthened by the knowledge, that already some symptoms of the revival of commerce had taken place. The lower classes of the people, with a very few exceptions, with a spirit of firmness, and manliness, had undergone many privations and difficulties, and had endured them with patience and fortitude, under the confident hope that they would presently be enabled to enjoy the blessings of peace and tranquillity. To remedy the present evil, pecuniary aid had been given by those who were able, out of their means, to supply the wants of the poor, who, he was persuaded, felt most grateful for the generosity which had been so prevalent. This was, indeed, characteristic of the British nation; and from the effects of such exertions many of their fellow-creatures had been preserved from starvation. The attempts which had been made to destroy this patriotic spirit, by exciting sedition and disaffection, had been checked, in a great measure, by the activity and firmness of our magistrates, and by those who were aware that such outrages, in such calamitous times, only served to increase the general distress; but the same feeling of abhorrence which had induced their lordships yesterday to express their just indignation at the gross insult which had been offered to his royal highness the Prince Regent, while performing the most important duties of his office, would equally induce them to express their abhorrence at the attempts made to excite the people to the most wicked and outrageous acts of violence. It was to that energy and vigour which the government had displayed, that Great Britain had been enabled to conduct with perseverance, and bring to so glorious a close, that war in which the country was so long engaged; and it was upon the same energy, and upon the same vigour, that the hope was founded of a speedy and happy termination of all the miseries under which the country now unfortunately laboured. It was owing to

the wisdom of government, inspired by the constitution, that this country had been enabled so gloriously to obtain tranquillity abroad, and by the same means peace and happiness would be restored at home. He concluded by moving, that an humble address be presented to his royal highness the Prince Regent.—The Address was, as usual, an echo of the speech.

The Address having been read,

The Earl of *Rothes* apologized for troubling their lordships, after the able manner in which the subject had been opened by the noble earl who had moved the address, and trusted the House would extend to him the usual indulgence, in consequence of his being unaccustomed to address them. He joined most cordially in the satisfaction expressed at the result of the expedition to Algiers, not only because that expedition had been most justly and properly undertaken, in consequence of conduct on the part of the Barbary powers that could not be submitted to with honour on the part of this country, but also in the complete success of the expedition, entrusted as it had been to a noble and gallant admiral, whose conduct, in every point of view, was entitled to every praise that could be bestowed, and whose exertions were so admirably seconded by the bravery and zeal of his gallant crew; and still more he rejoiced at the final result of that expedition—the abolition for ever of Christian slavery. He also cordially concurred in the praise bestowed on the successful termination of the Nepaul war. With regard to the internal situation of the country, he could not but in common with others, deeply regret the distress that, to a considerable extent, prevailed, and of the existence of which all their lordships must be convinced, though he trusted and believed that it arose merely from causes of a temporary nature arising chiefly from the transition from a state of war to that of peace, and which he trusted would soon pass away, leaving in full vigour, all the resources of the country, all the great springs of its industry and wealth. Still more deeply, however, was it to be regretted that this distress should have been taken advantage of by evil minded persons, for the purpose of inflaming the people to acts of riot and outrage. Little did he think, when he came down yesterday, with the intention of seconding an address to the Prince Regent, that that illustrious

personage would have been placed in a situation of danger on his return from the House of parliament. That the first subject of his majesty should, on his return from exercising in that House the highest constitutional functions of his high office, be grossly and outrageously insulted—insulted, did he say? He should have said assaulted, for that appeared to be actually the case,—was indeed most deeply to be deplored. It proved, unfortunately, how successful the machinations of evil-disposed persons had been, when they had led to an outrage so revolting to the minds of Englishmen—an outrage so disgraceful to the country, and so utterly destructive of the constitution. He most sincerely wished that he possessed the eloquence of some noble lords, to express his feelings upon this lamentable occasion; but as he had not the good fortune to possess that talent, he must simply confine himself to expressing a sanguine hope, that their lordships and the community at large would exert themselves to the utmost to wipe off that foul stain which had for a second time, unhappily fallen upon this country. He, however, was notwithstanding convinced, that the great body of the people remained loyal, and firmly attached to the constitution and the government. Their distresses had been participated in a greater or less degree by the middling and higher classes. The latter had liberally, and in many instances from scanty purses, contributed to the relief of the labouring classes under the pressure of unfavourable circumstances, and he trusted that the charity and benevolence which had been so eminently displayed, would be the means of knitting together all classes of his majesty's subjects in a still closer bond of union, in defence of that constitution and system of laws confessedly the best existing, under which the country had grown and flourished—under which all classes found their best protection, and by which the interests of all were equally protected. The noble lord concluded by seconding the address.

Earl *Grey* rose and said:—My lords, before I proceed to notice those points in the address which has just been read to your lordships, and in the speeches of the noble mover and seconder of that address, on which it will be my painful duty to express some dissent, it is my wish shortly to advert to those subjects on which the noble lords, I am sure, truly anticipated that there would be no difference of opi-

nion among your lordships. And first, I beg leave to state, that nobody can concur more heartily and more cordially than myself in all that has been said by the noble lords in the just tribute paid by them to the skill, enterprise, perseverance, and courage of the noble admiral who commanded the British fleet in the late expedition against Algiers, and to the bravery and fortitude manifested by all the officers and seamen engaged in that expedition. Having said this with respect to the expedition itself, and having expressed my satisfaction at this accession of glory to the British arms, and more particularly to that branch of them which I hope will always be considered with peculiar favour in this country, as affording to us our best defence and most natural protection, I may be allowed to express my regret, that in the circumstances of difficulty in which the country is placed, pressed down by an overwhelming debt and taxation, it was necessary to make such an exertion, or to add even the smallest amount to those intolerable burdens we are enduring. While I feel this regret at the expense with which the expedition to Algiers was necessarily attended, allow me, my lords, to add, that I much doubt the value of the advantages obtained by that expedition, or the permanent security which its result, glorious as it was will afford against a recurrence of those circumstances in which it originated. These considerations, however, cannot in any way detract from the merits of the brave men engaged in the expedition; and I entirely concur with the noble lords in considering them as entitled to the warmest approbation and thanks of the nation.

The next point to which the noble lords adverted, was the termination of a war in another part of the globe. The event of the Nepaul war, as far as the commander, the officers, and the soldiers engaged in actual hostilities were concerned, amply justifies the tribute of praise paid to those brave men by the noble lords. But, my lords, it is rather too much to ask us at the present moment, when to the best of my knowledge no information has been laid before your lordships on the subject, for an opinion on the cause and necessity of the war itself, and to the declaration of such an opinion the passage in the address must tend, if it has any meaning whatever. For one I am in a great degree ignorant of the merits of the whole transaction,

and while in that comparative ignorance, I cannot consent to give any opinion upon it. This, however, I will remark, uninformed as to a great degree I am upon the subject, that it is with great surprise I observe the termination of the Nepaul war introduced in the speech from the throne in terms similar to those used on a former occasion for announcing the termination of a war with one of the most dangerous enemies of the British empire, by the taking of Seringapatam, and the destruction of the Mysore power. Comparatively uninstructed as I am with respect to the causes and nature of the Nepaul war, I repeat that I am much surprised, whatever might be the merit of the campaign which brought it to a termination, to see that termination noticed in terms similar to those used in a former speech, in announcing the termination of a war in India, certainly of much greater importance.

Leaving, however, that subject, I proceed, my lords, to another point of the address, and of the speeches of the noble lords, in which I regret that I am not so fortunate as to agree with them. In unison with the speech from the throne, those noble lords expressed their confidence in a continuance of peace with foreign powers; and congratulated your lordships and the country on the favourable prospect thus afforded us. I am sure, my lords, no one can rejoice more than myself in any assurances that the peace which we at present enjoy is likely to be lasting. At the same time I may perhaps be permitted to entertain considerable doubts with respect to the soundness of those arrangements made by the executive power of this country, on which the continuance of peace must eminently depend.—This is a subject much too large to be discussed this evening, but it is a subject much too interesting to allow of the present session's passing over without a thorough investigation of it. Certain transactions, of which I have heard, will, I imagine, render necessary some communication from his majesty's government, which must bring the whole question under our consideration. I will now, however, state an opinion, which I had not an opportunity of expressing last year, when those negotiations which produced the arrangement that formed the basis of the peace, were discussed by your lordships: I will now declare what I should have declared at that time had I been able to be present.

I confess then that I have no confidence in the assurances contained in the speech from the throne, and in the speeches of the noble lords with respect to the probable continuation of peace. I have great apprehensions on the subject; for to me, my lords, it appears that the system of policy on which these assurances are founded, instead of tending to secure, was fraught with the greatest danger to the peace of Europe. The arrangements made by his majesty's government as the basis of peace, appear to me to have been equally adverse to the rights and independence of nations, and to the dictates of true wisdom; to have been alien to all policy and justice; to have been subversive of the principles on which the balance of power in Europe was formerly held to depend; to have been destructive of the interests of our own country; to have been dangerous with reference to their moral influence on the British army, and most dangerous to the security of the British constitution. Without having attained one British advantage, or consulted one British interest, the result of the arrangements made by his majesty's government, with the governments to whose schemes of ambition and aggrandisement we sacrificed the rights of all minor powers, at whose unjust conduct we shamefully winked and connived, is to make us the objects of suspicion and distrust on the part of those very governments themselves who hate our prosperity, and envy our commerce, against which they make war by prohibitory duties, and by other modes of attack almost as injurious as those formerly resorted to by Napoleon himself. Such are the feelings of the governments towards us, and they are answered by correspondent feelings on the part of the people, who burn with an animosity strongly directed against us. Having been called upon to rise in defence of their own rights and independence in opposition to France, they obeyed that call. But having exerted themselves successfully in the contest, they now find their rights and independence violated by those to whom they were formerly taught to look for the protection of both. The discontents produced by this conduct are murmured in secret, but are principally directed against this country; by which the people of other nations consider themselves as having been most unjustly used.

My lords, with respect to our conduct in the arrangements respecting France,

there was but one of two courses to pursue. Either we should have conciliated the good will of the French people by abstaining, after the destruction of their former government, against which alone we professed that our hostility was directed, from any further interference in their internal affairs, a course which I should have preferred, because, in my opinion, it would have been consistent with wisdom, liberality, and justice, and therefore our true policy (for from true policy, wisdom, liberality, and justice are inseparable), or, if it had appeared that the people of France were in such a state, and that the seeds of disorder were so widely disseminated in that unhappy country, as to render her dangerous to the general tranquillity, it was open to us, having unsheathed the sword and conquered, to insist on our rights as conquerors, and to take securities for our own safety, and for the reduction of the power of France to such a degree as would enable us to repose in perfect security. But neither of these courses was taken by his majesty's government. They adopted a third description of proceeding. They determined on maintaining a British force in France for the support of the family on the throne; and the consequence is, that without having reduced the power of that great concentrated empire, they have generated an implacable spirit of animosity on the part of the people. My lords, the end of all this will probably be, that having placed and supported the present family on the throne of France, that family must ultimately establish and consolidate its power by gratifying the resentment of the French people, and going to war with this country. I should not have had very sanguine hopes of a long continuance of peace under any arrangements that might have been made with France; but if any one system can be conceived more calculated than another to make a long continuance of peace impossible, it is precisely that which his majesty's government thought proper to pursue. These, my lords, are the opinions which I should have offered to your lordships had I been present when this subject was brought under consideration in the last session of parliament. Opportunities must soon occur for discussing the subject more fully, when his majesty's government shall think fit to make a communication to this House, in consequence of the changes which it is said have been made in the terms on which the British

army is in future to be maintained in France, as well as in the amount of the force. Then the whole policy of the treaty will again come under the consideration of parliament, the more especially if any further burthen is to be borne by this improvident country.

I will now, my lords, proceed to that which, under our present circumstances, is certainly the most important subject of attention. I mean the present internal situation of the country. A situation acknowledged by the noble lords themselves to be one of considerable difficulty—a situation to which I can find no parallel in our history. The noble lords tell us, as the speech from the throne tells us, and as his majesty's ministers told us on a former occasion, that there is every reason to hope that the distresses under which we labour are temporary, and that the native energy of the country, combined with the advantages which it possesses—its capital, industry, and skill—will, at no distant period, surmount all the difficulties in which it is involved. One of the noble lords went further, and predicted, that the existing distresses will be succeeded by a new era of increased prosperity. My lords, whether that belief be well founded or not, it is one so congenial to the feelings of all who heard it—it is one which it is so much our interest to cherish, whether as private individuals, or as members of a great community, that it is impossible not heartily to wish it may prove true. But we should ill discharge our public duty, were we fondly to rely on any such hope, whether held out by the noble lord, or by his majesty's ministers (who of course have better means of information on the subject), without some examination of the foundation on which it rests. In any case, my lords, examination is indispensable. If the distresses are really of a temporary nature, examination may afford the means of still shortening their duration, and of inducing the country to bear them with a prolonged fortitude. If, as I apprehend, they are rooted more deeply—if they have the character of permanence—examination becomes imperiously requisite, in order to avert the ruin that awaits us. Let us not shut our eyes, and satisfy ourselves with trusting to the energies of the country. That distress so general, deranging every national interest, commercial, manufacturing, and agricultural, should not have arisen from concurrent causes, it would not be reasonable to sup-

pose. That those causes are partly temporary, and therefore susceptible of some alleviation by the natural effects of continued peace; I am not only not prepared to deny, but it is an opinion which I most anxiously cherish. But, my lords, it is my duty to say, that I believe the causes in general are more deeply rooted, and are of a more permanent nature, than the noble lords seem to think. The pressure is so severe—the taxation is so intolerable—the embarrassment of our internal affairs is so general—as to exhibit altogether a spectacle unprecedented at the termination of any former war. The noble mover of the address has indeed said, that we have before been placed in similar difficulties, from which we have subsequently been relieved; and that he confidently expects a similar result in this case. But at what period of our history were our difficulties equal in amount to those which we at present endure? I have heard the difficulties which this country experienced at the close of the American war, and the extraordinary year of prosperity which soon followed, held out as an encouragement to hope. I ask such of you, my lords, as remember that event, for at that time I was not of an age to take a part in any deliberative council, whether it can be truly stated, that in degree, extent, character, violence of symptoms, or probability of cure, any similarity exists between the present circumstances and those of that period. That there were great distress and great difficulty at the termination of the American war I most certainly admit; but I contend that that distress and that difficulty were so different in their cause, so much more limited in their extent, and afforded so much more strong a hope of remedy, that no comparison whatever can be instituted between the two periods. In the first place, my lords, I ask you, if at the termination of the American war the whole population of the empire was affected as it is at present?—Were the manufactories then closed? Were the prisons filled with criminals, and the workhouses crowded with paupers? Were persons daily perishing in the streets for want of food and clothing? And above all, was the extent of the taxation and the amount of the debt such as it now is? The whole taxation at that period, amounted only to twelve millions. I allow that that was not equivalent to the expenditure, and that there was much pressure. But, my lords, will any one say

that a less taxation will operate with a pressure not more removeable than an advanced taxation? Will any one say that a deficiency on twelve millions is the same thing as a deficiency on a sum of five times that amount? Will any one say that a trifling pressure on so small a revenue, in a country abounding with resources, can be compared with an important defalcation in one, far advanced in taxation and sinking under debt? Whoever will maintain this, will maintain that when a man is already overburthened, he is as capable of sustaining an additional weight as when he was not overburthened; that a drop of water will not more certainly cause a full cup than a cup three parts empty to overflow; or that the diseases of age are as easily got the better of as the diseases of youth. My lords, the proposition is untenable. Were there no other difference, the difference of taxation is sufficient to prove, that between the two periods there is no similarity of character. However, let it be supposed for a moment, that the distresses of the two periods are of the same nature; let us compare the probability of remedy. The noble mover of the address, says that the evils of the present times are chiefly attributable to the sudden restoration of peace. He forgets, however, the interval that has passed since that event. He forgets that it is considerably more than a year since the final termination of the war in 1815, and that it is rapidly advancing to three years since the original termination of the war, which was indeed interrupted by only three months hostility.—Now, my lords, let us inquire what the state of the country was at the close of the American war. In addition to the other distresses of that period, it must be remembered that there was no settled government; that in two years there were no less than three changes of administration, between two of which there was an interval of three months when there was no administration at all; that during the whole of that time no regular plan was proposed for relieving the public distress; and that it was not until 1784, when Mr. Pitt's administration was confirmed, that any plan of that nature was adopted. The noble lord allowed that no new taxes ought to be imposed at present. Mr. Pitt, however, was able in 1784 to impose new taxes, and also in 1785; and in bringing forward the budget of 1785, above two years after the conclusion of peace—at the same comparative period at which the speech from

the throne, to which we are now called upon to reply, states, that there is a great deficiency in the revenue, and at which the noble lord allows that there is a great deficiency in the consolidated fund and in the produce of the taxes, Mr. Pitt declared that there was a growing increase of the revenue, and that the quarter immediately antecedent to that in which he was speaking, as compared with the same quarter of the preceding year, exceeded in produce by a sum of between 6 and 700,000l.* These facts, my lords, afford proofs too sufficient of the dissimilarity of the means of the country at the two periods. I fear the prospects are as different. In 1785, the remedy proposed by the minister was, to levy additional taxes, not only for the purpose of covering the deficiency in the revenue, but of creating a surplus of a million, or rather twelve hundred thousand pounds, in order to establish a sinking fund to relieve the country from the debt, which was even then thought intolerably oppressive. If, my lords, the situation of the country at present is not worse than it was in 1785, similar measures may be resorted to. But is that possible?—Will his majesty's ministers propose taxes not only to supply the deficiency of the revenue as compared with the expenditure, but to create a sinking fund proportionate to the present national debt.

In three years from the conclusion of the American war, it was stated in the speech from the throne, that the country was enjoying the "growing blessings of peace, in the extension of trade, the improvement of the revenue, and the increase of the public credit of the nation." Is that the case at present? Is that the tenour of the speech from the throne, to which your lordships attention is now called? The deficiency of the revenue is most alarming. The supplies voted last year were thirty-five millions. The ways and means voted to meet them did not much exceed twenty millions; making a difference (provided for by temporary mean) of above fourteen millions between the expenditure and the resources for meeting it. But, my lords, if this subject be examined more closely, the deficiency will be found to be still greater. If from the one side we deduct the expenses that will not recur, and from the other the receipts that will not recur the result of the calculation will show a deficiency of eighteen millions. And let

* New Parl. Hist. Vol. 25, p. 420.

it be recollected that this result proceeds on the calculation, that the produce of the consolidated fund would be three millions. It was taken at that sum. But it has not produced any thing. That three millions, therefore, must be added to the eighteen millions, making a total deficiency of 21 millions.

I now come, my lords, to consider the question of a reduction of the national expenditure. The speech from the throne announces that the estimates for the current year have been formed with an anxious desire to make every reduction in our establishments which the safety of the empire and sound policy allow. Sound policy! My lords, these words are much too loose and general. To what amount are the intended reductions? Five millions? Eight millions? Ten millions? Will the noble earl opposite say that he will reduce the peace establishment (exclusive of the permanent charge on the consolidated fund) to 19 millions?—If he says that (and I fear he will not), let us then inquire what disposable revenue we have to meet the demand. I assert, my lords, that we have not any. I state this without fear of contradiction. Taking the average produce of the taxes for the last two years, which is too favourable a view of the subject, as they are falling off in produce with an accelerating velocity, I contend not only that we have nothing to meet this demand, but that if we were to look to the absorption of the whole sinking fund for the means of doing so, there would still be a deficiency of three millions and a half. Then, my lords, I ask how it can be stated that our present situation is comparable to our situation at any former period? In addition, my lords, remember that you have a source of difficulty not adverted to in the speech, but a principal and operative cause of the present distress, the state of our paper currency; which in consequence of the quantity forced into circulation during the latter part of the war, became depreciated twenty-five per cent., but is now restored to a par with gold and silver. No such difficulty as this existed at the close of the American war. What provision can you make to remove it? My lords, I was one of a committee appointed by the other House of Parliament to inquire into the expediency of the restriction on cash payments at the bank, when it was originally proposed. My opinion was opposite to that of the majority of the committee, and I dissented from that recommendation

which was received and acted upon by parliament. For a long time the evils that I anticipated were not felt. The restriction certainly afforded great facilities for maintaining the war; to such a degree, indeed, that it was declared by a new species of morality, to be an extraordinary dispensation of Providence to enable this country to carry on the war. A dispensation of Providence to prolong war! My lords, I suppose that the afflictions which now follow the restoration of peace will, in the same impious language, be called another dispensation of Providence.—In 1810, however, the evils of the bank restriction began to manifest themselves; at which period I particularly called your lordships attention to the circumstance. In the same year the chancellor of the Exchequer, of that time seemed to feel the impossibility of adding to the general taxation. At least, I well remember, that with all the facilities which the extensive issue of paper money afforded, it was stated by those who possessed the best means of information, that the taxation could not be increased without absolute ruin to the country. My lords, from that moment was a provident system of economy adopted, in order to reduce the national expenditure? No. Successive attempts were made to get rid of present difficulties by a system of paltry shifts and expedients. The consequence has been as it always must be in such circumstances, whether in great things or small, whether in the affairs of a private individual or in those of a government, the production of the greatest mischiefs, and indeed of all the sufferings under which we now labour. But, my lords, are there any means of providing against the evil to which I allude, and which is a great source of difficulty left untouched upon in the speech from the throne, and in the speeches of the noble lords? What was the original cause of the restriction on cash payments?—The quantity of money sent abroad. Is not that the case at present? Last year the advances by the bank were made on condition of their being repaid in two years—precisely the period at which the restriction will expire. It is clear that the bank must be paid, in order to enable it to resume its payments. The noble lord shakes his head. We shall ascertain the fact when that subject comes before your lordships. In addition to our evils we have lately heard, my lords, of a loan negotiated by the French government. My lords, I would not interfere

with the affairs of private individuals; commerce and the disposal of capital cannot be too free. But we have a right to expect some declaration on the subject from his majesty's ministers. The enormous nature of the evil cannot be doubtful. My lords, I can hardly believe that this transaction can possibly have taken place without some communication with his majesty's government. At any rate, I am persuaded that it was encouraged by that shameful article in the last treaty, by which British interests were sacrificed to the interest of individuals. It was the bounden duty of his majesty's government not only not to give this transaction any countenance or sanction, but distinctly to state to the individuals who were concerned in it, that in no future negotiation with France would any effort be made to protect their interests. For myself, my lords, I am decidedly of opinion, that if any future negotiation should take place between this country and France, there is no British interest which ought not to be preferred to the interests of the parties to this loan. Under all the circumstances of the case, it seems hardly possible that it could have been negotiated without some concurrence or interference on the part of government. The jealousy of the country on such a subject has always been great. Sir Robert Walpole once introduced a bill into parliament for the purpose of preventing the private negotiation of any loan to foreign powers without the previous licence of the king. His majesty's ministers labour under a heavy responsibility on this subject, and are called upon to state distinctly to your lordships that they did not afford their support or sanction to the proceeding. I repeat, my lords, that our difficulties are considerably augmented by the state of the currency. While paper was abundant and depreciated the taxation was raised, and the country is now required to pay the same taxation when paper is on a par with gold and silver. This weighs on manufactures, on commerce, on agriculture, on every thing connected with the national prosperity, to a degree wholly unprecedented. In what manner are we to remove all these evils? What new expedients have his majesty's ministers to offer? I have already stated the deficiency of our revenue; I now inquire how it is to be supplied? All I can collect from the speech from the throne is, that his majesty's ministers hope to find means for that purpose without

trenching on the sinking fund, and without making any addition to the burthens of the people. By what means then is this object to be effected? Is it by adding to the debt? I hope not. Is it to be by postponing the payment of the interest of that debt? or by postponing the operation of that measure for the liquidation of the debt which is said to be so essential to the maintenance of public credit?—Is it to be by a loan? or by borrowing on exchequer bills? That must ultimately operate as a public burthen, although no immediate increase of taxes is required; and therefore if either of those plans is to be proposed, it is not true to state, as has been stated, that his majesty's government hope to meet the deficiency in the revenue, without making any addition to the burthens of the people. But, my lords, to what other source are we to look for relief? The Speech talks of a reduction in our establishments. I wish I could give ministers credit for sincerity in this intimation. But I cannot forget, my lords, that they made the same promise last year. Last year they proposed estimates which they were obliged to relinquish. They declared, in the first instance, that they had reduced their estimates to the lowest limits, compatible with the safety of the empire; and that they were prepared (for I well recollect the language), to justify them, point by point and item by item. However, parliament found the means of compelling them to reduce those estimates. What has been the conduct of his majesty's government in the interval which has elapsed since the last session? Not only has no reduction been made; but, as if wantonly to insult and irritate the people, a determined and almost expressed inattention to their voice on this subject, has been evinced. Are we then now to believe that ministers are sincere in their disposition to retrench? My lords, this and the other House of Parliament must impose on them that duty. We must insist on a retrenchment very different from that adverted to in the Speech from the throne. We must insist on a rigid, unsparing economy; an economy founded, not on what sound policy requires, but on what necessity will admit; not on what government would have, but on what the country can afford. If we cannot extend the means to meet the expense of the establishments, we must contract the establishments to meet the means. In this condition, that which would be a paltry saving under other cir-

cumstances, must be strictly enforced. The splendour of the crown now must consist not in the gaudy trappings of a court, but in making just sacrifices to conciliate the feelings of the people. This is true dignity. Even the claims of many meritorious subjects, painful as the proceeding will be, must be rejected. You are in a situation my lords which will not permit to you that which under other circumstances sound policy might dictate; you must content yourselves with doing that which the necessities of the state will allow. It is the duty of ministers to look the danger in the face. They have a solemn and painful task to perform—a task that may expose them to the reproaches even of their friends. Not only superfluous expenses, but even comforts, and what in other times might be deemed necessities, must be cut down. My lords, although I am far from wishing to encourage the delusion that has been spread among the people on the subject of one description of expenditure that has excited much irritation and obloquy; knowing as I do that no very considerable savings can be effected in that quarter, I must nevertheless say that I think his majesty's ministers are bound to show the people of this country that the expenditure is reduced to the lowest possible scale, and that nothing is continued except that which is demanded by the most imperative necessity. The people have a right to expect this after the exemplary patience with which they have submitted to all the privations attendant on the late dreadful struggle.

My lords, I listened with considerable pain to some of the observations made by the noble lords on another topic. The noble lords adverted to the attempts made throughout the country to inflame the passions of the populace, and to inspire them with sedition, and in aid of their remarks on this subject, referred to the unfortunate occurrence of yesterday. My lords, I cordially concurred in the address of yesterday. No man can more strongly feel resentment than I do at the outrage then committed. It was one which justly called for the censure of both Houses of parliament, and for the exercise of the power of the law in its punishment. But, my lords, I rejoice to add, that on the best consideration I have been able to give to the statements made on that subject, I am persuaded, that however heinous the offence in itself, and however

justly exciting our indignation, there do not appear any strong grounds for suspecting that any criminal design was entertained against his royal highness's life. I am anxious to state this because I see no advantage that this country could derive, either at home or in the eyes of Europe, from its being supposed that there could be found an individual capable of contemplating so detestable an act. It is not an occurrence therefore that calls for any thing but the usual operation of the law as it stands. My lords, that it is in human nature, when distressed, to express its discontent, who will deny? A free people will sometimes express their feelings in a manner not the most guarded. Nobody has been more obnoxious to popular assemblies, to the friends of reform, than myself. On no man have more severe remarks been made. But, my lords, though they may continue to stigmatize me as a person who has forfeited their confidence, and whose moderation is hateful to them, I am far from wishing to deal out the same uncharitable measure to them. Though I extremely disapprove of their views, which if they could be carried into effect (and I am persuaded they cannot), would prove most pernicious, I believe many of them to have sincerely good intentions. I should be very sorry to confound them all under one character.—I should be very sorry to believe that there existed in any great number of them a disposition to overthrow the constitution. I should therefore most deeply regret if what has occurred should be made the pretext for introducing new laws, inconsistent with the true spirit of the British constitution. If any individuals should appear to be animated with evil designs, that ought not to be advanced as a reason for depriving the people of England, who have borne the heavy burthens imposed on them with patience so exemplary of their constitutional rights and privileges—their best possessions and their best hopes. If such be the conduct that your lordships should unfortunately pursue, will not the people with justice exclaim—we sought for bread and are requited with a stone? Will you show them that parliament is more anxious to limit their rights than to relieve their wants—to stifle the voice of complaint rather than attend to the prayer of their aggravated distresses? My lords, it is on all these grounds, and because I think that the address proposed is irre-

conciliable with the public exigency, that I feel it my duty to propose an Amendment, embodying the principles on which this House ought to act, and affording that pledge of economy, that in practice can no longer be neglected, as the speediest remedy to the evils with which we are assailed. This Amendment is as follows:

"That we have seen with the deepest concern the continued embarrassments of our agriculture, manufactures, and commerce; the alarming deficiency of the revenue, and the unexampled and increasing distresses of all classes of his majesty's faithful subjects.

"That we are willing to indulge the hope that these distresses may be found, in part, to have originated from circumstances of a temporary nature, and that some alleviation of them may be produced by the continuance of peace, but that we should ill discharge our duty to his royal highness, and be guilty of countenancing a most dangerous delusion, were we to conceal from him our opinion that the pressure which now weighs so heavily on the resources of the country, is much more extensive in its operation, more severe in its effects, more deep and general in its causes, and more difficult to be removed than that which has prevailed at the termination of any former war.

"That we are firmly persuaded that the same exemplary patience and fortitude with which all ranks have hitherto borne the difficulties under which they labour, will continue to support them under such burthens as may be found indispensably necessary for the unavoidable exigencies of the public service; but that to maintain this disposition it is incumbent on parliament, by a severe and vigilant exercise of its powers to prove that sacrifices, so painfully obtained, are strictly limited to the real necessities of the state.

"That while we acknowledge the gracious dispositions announced in his royal highness's speech from the throne, we cannot help expressing our regret that his royal highness should not have been sooner advised to adopt measures of the most rigid economy and retrenchment, particularly with respect to our military establishments. That to prompt and effectual reductions in this and every other branch of the public expenditure, this House must naturally look, as the first step to relieve the distresses, and redress

the grievances of which the people so justly complain, and that to enable themselves to assist his royal highness by their advice in the execution of a duty so imperiously called for by the present situation of the country, they will lose no time in instituting a strict inquiry into the state of the nation."

The Earl of *Harrowby* said, he had listened with all the attention in his power to what had fallen from the noble earl opposite, but without being able to hear sufficient reasons to induce their lordships to support the amendment which had been moved. The noble earl had complained, that the difficulties of the country were not sufficiently expatiated on in the Address proposed. He would, it seemed, have them stated in their blackest colours. But in tracing a general view of public affairs, it was by no means necessary always to state things precisely as they were. To adopt the course the noble earl recommended, might be in many cases highly injurious, by subduing that spirit of confidence and hope which can alone give sufficient energy to rescue a country from a state of difficulty, and restore its prosperity. The noble earl called on their lordships to assert facts to which they could not give their assent. It was, for instance, impossible for them to agree with him in declaring, that the present distress exceeded that of every former period of difficulty known to the country. How were their lordships to concur in that opinion? He recollected former periods of distress which had given rise to complaints as loud as those which were made at present. The American war had been alluded to, and he believed the noble earl entered parliament soon after the termination of that contest. It could not be forgotten, that the language of that day was distinguished by the strongest despondency. The noble earl had alluded to the state of the country in the year 1783; but he ought to have recollected that at that period our public debt had increased in the course of ten years by a sum, the interest of which was 4,800,000*l.*, while the whole revenue raised to meet it amounted only to 1,700,000*l.* Here was a state of things which might fairly be put in the balance with the embarrassments of the present period. In that same year, 1783, our exports amounted to the great sum of 10 millions, while in the year which had just expired they had fallen to so low a state as to be only 28

millions. So much for the prosperity of 1783 compared with that of 1817! The country had then a debt gradually accumulating without means prepared for its reduction; no man had then been bold enough to propose a remedy for this enormous evil. At present the country possessed a sinking fund amounting to about fourteen millions. The noble earl would say, that this sinking fund was not applicable to our expenditure. It was to be hoped it never would; but in possessing it the country had a mortgaged revenue, which, if added to the other revenue, would equalize the income with the expenditure. The noble earl had dwelt much upon taxation as the cause of the present embarrassments. No man would pretend, when a country was in a state of difficulty, that the pressure of taxes would not augment the distress; but it by no means followed, that those taxes should be regarded as the cause of the distress. On the contrary, the fact incontrovertibly was, that when the taxes exceeded their present amount by nearly eighteen millions, the prosperity of the country was great.—The state of the currency was another subject into which the noble earl had entered, but into which he (lord H.) did not think it necessary to follow him at any length. A very great part of the paper currency had, from various causes, disappeared; but that it had previously produced great effects, no man could deny. A revulsion, it was true, had arisen from certain temporary causes, and had occasioned considerable distress; but that distress, like the causes which gave it birth, was also temporary. But to whatever degree that distress extended, had it not been balanced by great advantages? It would be strange, indeed, if any man could look back to the events which had occurred during the last twenty years, and not oppose to that distress the important acquisitions made by the country during the same period; the rank to which we had risen among nations, the security we had obtained, the imperishable glory we had conquered! Were he to be asked, whether he would embark in the system which had produced these results, or abandon its advantages for the sake of avoiding any evils with which it had been accompanied, he would not hesitate a moment in his choice. Let it not be supposed, that, though the progress of the distress had been rapid and unexpected, the system of paper currency was

not balanced by benefits of the most important kind. It had created wealth in every corner of the country; it had increased the cultivation of our fields, and raised commercial warehouses and depots, which were loaded with the merchandise of the world; and it had left behind materials which would, in due time, reproduce prosperity in spite of those gloomy predictions, which, from the year 1791 to the present day, had been incessantly repeated, and which could tend only to depress the spirit of the country.—With regard to the late treaty of peace, the opinion he entertained was very different from that of the noble earl. As the events which preceded that treaty had raised the glory of the country to the highest pitch, so the policy by which it was concluded was at once the most just to other nations, and the most advantageous to our own. In the concluding part of his speech the noble earl had alluded to the atrocious outrage which had been a subject of inquiry yesterday. In common with the noble earl, and every other member of that House, he shared the indignation which the noble earl had expressed; but he must add, that he doubted whether the noble earl was right in his conclusion, that there had been no plan in the commission of the outrage. From the evidence their lordships had heard yesterday, he thought there could be no doubt in the mind of any man on that subject. Most of their lordships would recollect a similar atrocious attack which had been made on the sovereign more than twenty years ago, and a comparison of the circumstances would show, that design was not less manifest in the attack of yesterday than in that to which he had alluded. But it was not surprising that the minds of the ignorant were worked up to excesses, when they were daily excited not only to hatred of the sovereign, but of his government, and indeed of every government. This was the effect to be expected from the inflammatory publications circulated among them with a most mischievous industry. These publications were distributed among a people smarting at present under distress, and unfortunately, therefore, fell upon a soil calculated to produce the fruits which had been witnessed. In this respect the situation of the country required the greatest attention, and he hoped the subject would speedily occupy the fullest consideration of parliament. He should

think himself attempting to impose on the understanding of their lordships, were he to hold out any other view than that which he had done with regard to the state of the public mind. In the mean time, he rejoiced to state, that, however their lordships might differ on certain questions of policy, he was perfectly satisfied, that they all agreed in venerating the magnificent edifice of the British constitution, which had existed with glory for so many ages; and also that they were all determined to maintain it.

Earl *Grosvenor* said, he had attended very closely to the noble lord who had just sat down, and notwithstanding the noble lord's opinion, the only conclusion he could draw from his statements was this; that though the country was in a bad condition at the close of the American war, it was now in a much worse. So far was our income from exceeding our expenditure now, that it fell greatly short of it, and the deficiency threatened the most serious consequences to the country. He never rose with greater pain in his life to address their lordships, and that not merely on account of the distress of the country, great as that distress was. Notwithstanding the many thousands who severely felt the difficulties of the times; notwithstanding the sufferings of that important, but now almost extinguished class, the country gentlemen; notwithstanding that almost all, except those who lived by the taxes, were compelled to make the greatest sacrifices; notwithstanding all these considerations, he derived a far more melancholy view from the conviction that ministers were determined to resist every reasonable plan of economy and reform. This conviction gave him far greater alarm than the situation of public affairs, gloomy as that was. It indeed appeared, that if the present objects of ministers were pursued, and their present principles maintained, their system must terminate in a military despotism. He could foresee no other result. He was fully persuaded that the disaffection complained of by ministers arose in a great measure from their resistance to all temperate propositions for economy and reform. Their attempts to maintain a war expenditure in peace, and their conduct with respect to the auditing of the civil list, were proofs of their intentions. With regard to the latter subject, it was to be regretted that their lordships did not take the business into their own hands, rather

than leave it with administration. What had been their conduct during the recess? Their first object ought to have been to alleviate the public distress; and what did they undertake for that purpose? It was true they had contrived to procure a meeting at the London Tavern, attended by princes of the blood, and dignitaries of the church. But it had failed, and for two reasons he rejoiced at the failure; first, because it was a political manœuvre; and secondly, because by the defeat charity took its proper direction. The next object that appeared to have engrossed their attention, was their indignant answer to the Address of the City of London. What part of that address occasioned such strong reprobation, he was at a loss to discover. It had been stated that it was the manner in which the conduct of the late war was reprobated. This was rather irreconcilable, coming from the throne at the present moment, for he believed it was well known that the prince regent's opinion relative to that war was well ascertained, at least in its early stages. The noble earl concluded with expressing a hope that the rumoured refusal of ministers to withdraw a part of our army from France, at the solicitation of the French government, was unfounded; and concurred in giving his hearty assent to the amendment.

The Earl of *Aberdeen* supported the address, and defended our negotiations with France, as blending the happy mixture of prudence, in regard to our own security, with liberal principles towards our late enemy. In regard to the state of the public mind, he would not then inquire whether the charitable construction of the noble earl, who moved the amendment, was supported by the facts, but he must be allowed to remark, that whatever the motives of the individuals alluded to might be, the House had to look to the effects. In this contemplation, the government had been rather indifferent to such efforts, and might with propriety be quickened on that point. With respect to the insincerity as to economy, charged against the servants of the Crown, when the estimates were before the House it would see whether the pledge given by them had been realized or not. The establishments of last year were not greater, he believed, than the circumstances of the country required: they were voted as temporary, indeed it was impossible to fix, at that time, on any thing like a permanent peace

establishment. Ministers must be blind to their true interests if they did not adopt every proper and practicable retrenchment; but still, from its very nature, reduction must be progressive, and the work of time.

Lord *St. John* expressed his anxiety not to give a silent vote on the important discussion before the House, and he said his solicitude was increased by what had fallen from the noble lords who had spoken in support of the address. The noble earl (*Harrowby*) had set out with assuming that it was not the province of the servants of the Crown to state to parliament the exact situation of public affairs; they ought not, said the noble earl, to be so represented, to use the precise words, in such black colours. Now, if that House were, as they ought to be, the honest counsellors of the Crown, if they took the just estimate of their duties, they would disavow all such qualifications, and approach the throne in the language of sincerity and truth. Were they to endeavour to have the calamities of the country shaded down in their address, and truth to give way to the incense of a disguised statement, he knew no greater desertion of duty of which public men could be guilty. The House must ground a just opinion of his majesty's ministers on their general practice, and not on unmeaning promises in the speech from the throne. They should view their statements as they would the evidence of a witness at the bar, and form the true conclusion on the language, the general demeanor, the character of the evidence, but, above all, they should view with strong suspicion every attempt to delude and to conceal the real facts. Their lordships could not forget the impressions which the conduct exemplified last session had left on the country. Economy was then by ministers divested of all meaning. It was a term without its due application, perverted into a species of state crime, a sort of constructive treason against the government. Ministers had now, however, felt it necessary to hold a different language; but this change in their tone never evinced itself until they were actually forced, step by step, from their extravagant determination, and after such a scene of lavish expenditure, with a total disregard of public feeling, as was never before witnessed in the annals of the country. Having stated this broadly, he would illustrate it by a few examples. An

act of parliament was passed some years ago, restricting the grant of certain pensions to public officers, after a definite period of service; yet in the teeth of this positive provision of law, a pension was granted short of the period of service, to the late commissary general, Mr. *Herries*. It was true that a more intelligent servant, a man of a more accurate knowledge of his official duties, or who was a greater check on the expenditure in that branch of the public service could not be found, than the late commissary general; yet he was transferred to another department, leaving an expenditure to the amount of fifty millions yet unaccounted for. This statement of gross abuse was not enough, but at the moment the audit of the accounts was transferred to the treasury, a great proportion of that unaccounted sum was supposed to have been laid out under the most suspicious circumstances. The civil list was proved in the last session to have got considerably in arrear; but how was its extravagance to be checked for the future? By the appointment of a new officer under the direct control of the treasury! It was long the salutary usage that all accounts of public expenditure should be audited by public accountants; yet lately, particular cases of exemption were extended, and little doubt could be entertained that such a departure from the ordinary practice was extended as a favour. He would give another instance. A gentleman, once a professed friend to economy (Mr. *Huskinson*) and who held the situation of agent for the island of Ceylon, had his accounts audited by the treasury, and obtained a certificate for the amount of 50,000*l.* issued under such circumstances. In regard to our foreign relations, the hostility to our commercial interests pervaded every part of the continent, and might be traced mainly to the very terms of the peace. But the merits of a liberal policy was the indefinite answer of his majesty's government. Liberal policy, as he understood the term, precluded all interference in the internal transactions of independent states; precluded every attempt on the part of foreigners to impose a disliked dynasty and a foreign soldiery on a nation. If ever there was a policy calculated to alienate the people of France from the Bourbon family, it was that pursued by the allies. There was a parallel in the case of Henry 4th. Had that monarch depended on

Spanish councils and Spanish arms, his throne would never have been perpetuated; not a Frenchman would have rallied round his standard. No, that monarch depended on his own exertions. He owed his succession to the siege of Paris, and, above all, to the sincerity with which he adhered to all his engagements. The noble lord concluded by observing, that as far as regarded the distresses of the country, nothing but a total change in our foreign and domestic system; a new era, not in words and promises, but in truth, could relieve the country from its present difficulties.

Earl Bathurst defended the conduct of his majesty's ministers. What they had stated last year was, that they had then made reductions in the establishments as low as the circumstances of that year would allow; but they were then far from saying, that these were the only reductions that could be made, or that future years would admit of. He would appeal to their lordships, if this had not been their uniform language; and whether they had not absolutely denied that these were to be the utmost limit to the reductions of the peace establishments. Whether the reductions were made to the utmost extent that they could possibly admit of, would now be a fair subject for the consideration of parliament. He would not say, that the military establishments could not be actually reduced lower than was now proposed; but, at least, in the opinion of ministers, they were as low as the actual safety of the country would admit. He would readily allow, that there was nothing in the present address which bound their lordships to approve of the objects of the Nepaul war. Near the close of the last session, the House had been told, that that war was closed; but in consequence of the refusal of the chief to sign the treaty which had then been concluded, a renewal of it became necessary on our part, and the praise contained in the speech was solely intended for the ability and valour with which it had been conducted, and brought to a successful termination; and as to the language in which the praise was conveyed, being nearly the same as that applied to the conduct of a noble personage now present, on account of the conclusion of the Mysore war, he did not think that noble personage would think his conduct disparaged by the comparison. The noble earl who moved the amendment had spoken of the utter detestation

in which the house of Bourbon was held by the people of France; but until he produced some evidence in support of his assertion, their lordships could not admit it to be well founded. The only evidence he had seen to such an effect was contained, perhaps, in a few paragraphs of a newspaper; but nothing was more common in this country than for the newspapers to make attacks on all the crowned heads of Europe. The noble earl had next alluded to the loan which some capitalists of this country were preparing to advance to the French government. He must say, that he knew of no law to prevent the capitalists of this country from making the most beneficial application of their capital, particularly in lending it to a government in a state of amity and alliance with this country. But this loan would not, as the noble earl seemed to imagine, press exclusively on the English money-market; on the contrary, it would be advanced by a variety of capitalists of all nations, without discrimination; and he was most happy to learn, that a very considerable portion of it would come from the monied men of France. He stated this fact with pleasure, as a proof of the consolidation of the French government, and of the consideration and confidence which it enjoyed among its own subjects, as well as affording a pledge that the duration of peace would be lasting. He would not now go back, as had been done by the noble earl, into a consideration of the terms of the peace that had been concluded with France: that peace had already obtained the approbation of the house, and he believed of the country. But if the noble lord imagined that the main object of that peace was to maintain the Bourbons on the throne of France, he was completely mistaken. The first object, he would admit, was to give support to that family, as the most likely mode of securing the general peace of Europe; but there was a second object, to secure the fulfilment of the indemnities stipulated in the peace of Paris; and thirdly, to occupy the frontier towns of France, until the left bank of the Rhine was adequately secured by the erection of barriers against the future aggressions of that country; more particularly after the treaty had confirmed its territorial integrity. With respect to the first of these objects, why was it thought desirable? Chiefly because the whole French army had showed itself radically hostile to the Bourbon family.

That army was now disbanded, but if it had been left in full force, there was little doubt but it would have operated to the immediate overthrow of the Bourbon dynasty. The noble earl next adverted to the spirit of discontent and disaffection which the address alluded to as having manifested itself at home; whoever had noticed the systematic attacks that had been made, must have remarked, that, they were not directed so much against the ministers of the Crown, as against the personage who exercised the functions of sovereignty. There was nothing that malignity could invent that had not been assiduously propagated against him; and it would remain for the House to consider what further measures were necessary to counteract such nefarious objects.

The Marquis *Wellesley* entered into a view of the unprecedented circumstances of the country, with an expression of his astonishment at the manner in which those circumstances were mentioned in the speech from the throne. The distresses of the country had grown to a magnitude that admitted no longer of palliation, and which forced themselves on the consideration of that House in a way that could not be resisted. When he saw the condition of all ranks of his majesty's people, and looked back on their exertions, their patience, their loyalty, their confidence in parliament, and their present misery, he was utterly at a loss to conceive by what criminal forgetfulness of their duty ministers could have withheld the most solemn assurances of an immediate and strict inquiry into the causes of such tremendous misfortune and a pledge of every possible relief. Instead of this what was the address that was proposed to them? A mere complimentary reciprocation of general phrases of which the speech was made up, and without one specific, direct assurance of attention to the complaints of the people or promise of relief. Was this a day for compliment—for courtly professions—for the mere repetition of the words of the minister's speech? Were they only to rejoice with the crown on the glory that the country had obtained, and not to look to the condition in which those victories had left the country? It was manifest that those distresses had been growing to the height which now astounded the firmest mind, by slow, but perceptible degrees, and ministers must have seen the progress. Why, then, did they not assemble the parliament earlier? Why deprive the country

of that constitutional council to which they were entitled, and to which they were naturally led to look up for redress? Their delay in calling the parliament at the proper season had aggravated the evils in no small degree, since, as was now apparent, the reductions which they were forced to make would have been made at the meeting, and a very considerable saving would have arisen thereby. He trusted that this criminal act would not be looked over, nor confined to a mere verbal animadversion. And now when parliament was met, no one sentence in the speech from the throne glanced at the true cause of the national distress—no pledge of an alteration of system that might lead to the deliverance of the people—no pledge even of an inquiry into the causes that had produced the calamity—which might satisfy the public mind, that at length their condition was to be strictly examined and their grievances redressed. How could he then give his assent to the address proposed by the noble lord, which was, as he had said, a mere reciprocation of the cold, cautionary terms of the speech, and pledged the House to nothing specific or direct? On the contrary, the amendment of the noble earl, though equally respectful, was clear, distinct, and energetic. It went directly to assure his royal highness that they would forthwith discharge their duty to him and to the country, by entering into the most strict inquiry as to the cause of all our sufferings, and giving the most sacred pledge of a rigid reduction of every possible expense.—The noble president of the council, whom he would call his noble friend, notwithstanding any difference of opinion and expressions thereon that might have passed between them in that House, but for whom he always entertained a sincere respect, had said that the noble earl near him had made use of despondent language in the admirable statement which he had made of the present circumstances of the country. The noble earl had done no such thing—he had in a most impressive manner urged the necessity of an inquiry into the causes of the misery that prevailed—into a retrospect of the transactions that had brought us to the present dilemma; but, in stating the truth, he had not fallen into despondency, nor uttered a sentence that could make the nation despond, unless indeed they were to be condemned to see the continuance of the waste, extravagance, and error that had brought us to our present state. It had been the fashion

to say, and the noble president of the council had repeated it, that the distress was only temporary—that it arose from a transition to a state of peace—and a reference was made to the termination of the American war, as a precedent. He happened to be old enough to remember that period, and he asserted that no despondency was then felt or expressed. He differed from the noble president in this idea, that the misery was temporary; on the contrary, his notion was, that our prosperity was temporary, that it arose from an accidental and unnatural state of things, that it could not endure. A species of warfare unprecedented in the history of man swelled and inflated our commerce, and that very state of things which so favoured the activity of our enterprise, and promoted our trade, brought with it also its natural result. It turned the countries of Europe, which had been subjected to an extraordinary suspension of their faculties, to look to their own resources when relieved from the pressure. And this had revived old branches of manufacture, and given birth to new ones, which created a rival to our own trade, that in his mind forbad the hope of our present distresses being of short continuance. So far from this being the case; it was seen that neighbouring nations could undersell us, and that in their hostility to our manufactures, every possible impediment was laid by municipal regulations to the produce and manufactures of Great Britain. So open and avowed was this hostility, that even in the market places an *auto da fé* was made of British goods; and the governments themselves, who owed their existence to our friendship, were forced to discountenance our manufactures for the support of their own. But in stating these truths, was this to be called the language of despondency? No, it became their duty to look this true situation in the face, and to inquire how they were to meet this hostile disposition, and how to revive the perishing trade of the country. The first great object was to ascertain what was the original cause of our distress. The noble president and all persons connected with government had studiously evaded glancing at the original cause of all our evils. They talked only of the proximate, not of the remote cause. The interval from war to peace, and all their other pretended causes were mere proximate symptoms—but not causes. The vicious paper currency had unquestionably contributed, in no ordinary de-

gree, to enhance the evil, because it had assisted the great original cause of the evil; and had been an instrument in the hands of ministers in the career they had pursued; but the great and original cause of all our evils was, the magnitude of our expenditure. That was the real source of all our misery, and certainly to that great cause the vicious system of a false paper currency had essentially contributed: for without that subterfuge, ministers could not have gone on in their mad career. But the noble president said we had, on the other side, glory in return. And he was content, it seems, to balance the account by the splendid victories we had obtained. No man was less likely than himself to lessen the glory we had obtained, or to speak lightly of the brilliant achievements of our arms by sea and land; but let the glory be what it may, to the price which we had paid for it must be ascribed the actual condition of the country.—That there were many other causes besides the lavish waste of treasure, the inordinate, mismanaged, unchecked, and uncontrolled expenditure, he was ready to admit. The inconsiderate concessions we had made, of territory and colonies, had deprived our commerce of benefits it had long enjoyed, and had even opened doors for smuggling to an extent most injurious to the revenue; but the great cause was, as he had said, the magnitude of our expenditure. And this was now felt in every town, in every farm, in every family. Last year he remembered ministers in that House had made use of a striking expression. They had said that the distress was local. Would they now repeat that phrase? O yes. They might still repeat it, and with truth, for the distress might be said to be local which was to be met with every where. But they now said the distress was temporary! He should probably astonish the noble president, when he said he should agree with him—yes—the distress was temporary. It arose, as was said, from the inordinate expenditure of the country—and that would be temporary, for there must be an end of it. That day, he pronounced it, must put an end to it. The scandalous profusion could not go on. Parliament must do its duty. There was no longer a refuge to be found from the cries of the hungry, the famished population. The army must be reduced. He had no hesitation in saying, that with every regard to the dignity of the Crown, to the maintenance of our rank, and security of

the empire, it might be greatly reduced. The civil list also, and all the establishments of every kind, must be retrenched with no sparing hand. Indeed one rule should be applied to them all—that nothing, however ancient, should be suffered to exist which was not absolutely necessary for the safety and very being of the country. The circumstances of the times were so altered, that reductions were now requisite that were never even thought of before; and no minister, however successful in other respects, could be said to deserve well of the nation, who should not recommend the most rigid economy in every branch of the expenditure. This was not a hasty opinion, but one which he had formed after the most earnest deliberation; and so convinced was he of its utility and importance, that to support it he would sacrifice his health, nay his life, if necessary, provided parliament could be induced to carry it into effect. It was at a most critical period that parliament had met, and it was now that their lordships should show the people that it was not in vain parliament had been called together as the proper instrument to remove the public grievances. It was now that they should show, on the other hand, how vain were the fears of those who thought that the constitution had not power to sustain itself. For his own part, one great source of his love for the constitution arose from the consideration of a great and incomparable blessing which had appeared to him to have been hitherto inherent in it; he meant, that while we enjoyed greater freedom than any other nation on the earth, and at the same time entertained the most unconquerable aversion to military despotism, or even military influence, yet it had fallen to the lot of this country to make greater exertions and perform more glorious exploits in war than any other. Such was the elastic vigour of our political system, that by an intrinsic and native spring, we had, even after the most laborious and exhausting wars, returned to the benefits of our free constitution; and the sources of agricultural, commercial, and general welfare; had revived, as if by spontaneous energy. Such hitherto had ever been the case; such, however, was no longer the case since the last peace. This peace had not brought with it the usual benefits of peace. We were not delivered from that unconstitutional evil, a standing army. The burthensome expenditure of our establishments was not re-

duced in proportion to our reduced means, the channels of national wealth and prosperity had not been opened. These were the principal topics that occurred to him; and the main object on which he insisted was, that in the present state of the country, it was not merely the duty of ministers to give a general pledge to be economical “as far as the safety of the empire and sound policy would allow” (large words these, but of little definite meaning); but they should have given a distinct pledge of what they intended to do, and to what extent they thought reduction would have been compatible at once with the safety and means of the country. Having thus taken a view of the principal features of the speech from the throne, he would refer to two points, which, though of minor importance, ought not to be passed by without some notice. And, first, as to the expedition against Algiers, there was no man with a British heart who could help rejoicing in the splendid and decisive victory of lord Exmouth: no man could refuse the warmest praise to the skill and courage with which it had been achieved. For himself, he felt a particular pleasure in that transaction, because it confirmed in his mind the high opinion which he had been induced to form of the gallant viscount from his services in India. During the whole of his government in India he had never met with a more zealous and able coadjutor than he had done from the noble viscount. He was not, therefore, surprised at the signal triumph of the noble viscount at Algiers, though he was gratified to see the success of an officer to whose character he felt a personal attachment. He hoped he should be excused for saying these few words in the presence of the noble viscount, especially as he feared that illness might prevent his attendance when the thanks of the House should be voted to him. As to the war in India, it seemed to him to be necessary, as far as he could, from imperfect acquaintance, understand the causes of it: from recollection, however, of the territory of Nepaul, he had some doubt whether an undue importance had not been given to that expedition. However this might be, he thought the conduct of the noble marquis at the head of that government was marked by integrity and ability, and nothing could be more grateful to his own feelings than that the noble marquis should be more useful to that empire than he himself had been. The noble

marquis concluded his brilliant speech with a strong animadversion on the idle theories of reform with which the nation had been disturbed for some time; and which, in the speech from the throne, had been described as attempts to stir up sedition and discontent. In the first place, he should say, that if ministers observed attempts to stir the minds of the people to sedition, it was their obvious duty to have taken prompt steps to stop the progress of the evil; and the obvious course was to have assembled the parliament, as the means of quieting the minds of the community, and depriving designing persons, if there were any such, from inflaming the multitude, or filling their minds with crude and indigested notions that must lead to public and inevitable ruin. The meeting of parliament, when symptoms of this kind were perceived, would have effectually stopped the evil if it actually did exist. Instead of which, they seemed as if inclined to foster it—to nurse and rear it up to something that should afford a pretext for sending persons to gaols and gibbets. But where were the proofs of all this sedition? When ministers put these words into the mouth of the Prince Regent, they ought to have laid before the two Houses of Parliament detailed documents to prove the existence of these seditious attempts, as a justification for their lordships to approach the throne with declarations of their sorrow for the fact, and of their determination to rally round his sacred person, and guard the king and constitution from all assault. He was no friend to the insidious course of suffering error to grow into guilt, that it might be pursued with tardy vengeance. Having said so much, he must clearly express his notion of all the idle theories of reform that had met his eye or ear. However different in their forms, all those which he had lately seen or heard of, seemed to be in total and complete subversion of the constitution of the kingdom. They talked of universal suffrage and annual election as inherent rights, when at no time and in no manner could they be proved to be consistent with the frame of our constitutions. They were totally inapplicable to the state of the empire. They had no analogy to the frame of our admired code. No government could exist upon such principles—and every thing which was admired—which was found sufficient in practice for every exigency—with enough of military vigour for

the purposes of war—with enough of civil influence to restrain military power in time of peace—with privileges to secure to the inhabitants more of personal liberty than ever was enjoyed by any other people—and enough of energy in the executive to preserve the empire from foreign annoyance, as well as from internal commotion—with checks that however discordant in appearance, harmonized so mysteriously in practice as to make the whole the most wonderful and most perfect machine that ever was established for the power, the freedom, the happiness of a people—must be violated and destroyed if the theories now propagated were to be acted upon. But, thank God, they were as impracticable as they were unsound. Universal suffrage and annual parliaments were not only unknown in the history of our constitution, but were subversive of its very nature. What! was the House of Commons to be made the mere organ of a democracy? Was this the intention? Had this ever been the practice of our parliamentary system? It was the peculiar character of our constitution, that it contained within it the three great principles of monarchy, aristocracy, and democracy, blended together so intimately, yet perhaps so inexplicably, except as to the effect, that the crown had no strength except in connexion with the aristocracy and the people, the aristocracy was nothing except connected with the crown and the people, and the people were powerless if independent of the crown and the aristocracy. Was this mysterious union to be dissolved? Was this system, whose strength was its harmony, to lose all its energy by losing the beauty of its proportions? What discord, what confusion, what destruction would then ensue! The very statement of reform, so understood, was revolution. “But what then,” said the noble marquis, “do I say, that because these reformers are in error they ought to be silenced? Do I say that your lordships ought to check an Englishman’s best privilege—the right of talking and speaking about the constitution of his government? Do I recommend to your lordships to employ coercion to repress the mistakes of opinion? Oh, no! my lords. Your lordships assemble here for better and nobler purposes. Do not invest yourselves in the solemn robes of judges; still less, my lords, assume the austere office of punishers of the people’s errors: but exercise as you ought the grander and more constitutional

functions of hearing, considering, redressing, the people's wrongs. Such, my lords, is my view of the constitution; and I trust I may say, that no man can be a stauncher friend to it than I am. I was born under the influence of this glorious constitution: I was educated in its principles: to it I owe almost every thing: no man owes more to it than I do: no family owes more to it than mine. I have therefore reason to love and admire it, and I would gladly lay down my life to support it. "Defendi rempublicam adolescens; non deseram senex." These are the principles by which I am prepared to abide. I would give the public every practicable relief. I admire their fortitude, I compassionate their sufferings, and I call upon this House, as in duty bound, to make every possible sacrifice for their benefit. The noble marquis concluded by supporting the amendment.

Viscount Sidmouth said, that his noble friend who had just sat down had commenced his speech with an endeavour to satisfy the House that the speech from the noble earl who moved the amendment had no tendency to create despondency. For his own part, notwithstanding the authority and eloquence of his noble friend, he was quite persuaded that there never was a speech delivered in parliament so well calculated to produce despondency. He could not agree with his noble friend, that the present distress of the country was permanent, or proceeded from causes of that tendency. If, indeed, the situation of the country was hopeless, in vain would it be to inquire into the causes of the distress, for the hopelessness of its state would render all inquiry useless. But he thought very differently upon the subject from his noble friend. His noble friend had considered the speech from the throne, and the address moved upon it, as totally inadequate to the present situation of the country. Being, however, one of those who advised the construction of the speech, he could conscientiously say, that he considered it as one immediately adapted to the purpose for which it was intended, because of its plainness and candour. It did not attempt to conceal the distresses of the country, nor to palliate the causes of those distresses. But whilst it admitted the existence of those distresses, it asserted them to be only temporary, and at the same time recommended such retrenchments as were consistent with sound policy and the safety of the country. Retrench-

ment was certainly in the serious contemplation of the government, as far as was consistent with sound policy and the welfare of the state. These were considerations which could not be lost sight of by government, and upon these principles his majesty's ministers meant to come to parliament when called upon to inquire into the state of the public expenditure; and it was for their lordships and the other house of parliament to judge how far it was expedient to retrench, consistently with sound policy and the welfare of the empire. He certainly looked with anxiety to the distressed state of the country, but he by no means admitted that its situation was such as to justify feelings of despondency. His noble friend had never heard any expressions of despondency as to the state of the country at the close of the American war, but he (lord Sidmouth) was old enough to recollect, that the great statesman who succeeded lord North had declared that he found the situation of the country at that time to be infinitely worse than he could have imagined. Undoubtedly the present state of the country, contrasted with that at the period alluded to, was by no means so discouraging as was imagined. At that period there was a great expenditure without the means of mitigating it; but at present there was a sinking fund, which went on progressively to extinguish the national debt. Independently of which it was to be observed, that the public taxes were reduced last year to eighteen millions, being two millions more than the whole amount of the taxes previous to the year 1793. With respect to the agricultural distresses they were certainly by no means so great this year as they were in the last. But admitting that the agricultural interest was in some respects depressed, it was but partial; for in many districts the complaints were wholly without foundation. That the manufactures were depressed, he must undoubtedly admit; but the distress in this particular was by no means so great as to excite despair and despondency. In many parts of the country, and in various branches of manufacture, the prospect was very encouraging. The cause of the distress of the manufacturers did not proceed from the rivalry of foreigners so much as the decrease of consumption in the foreign markets, arising from the general distress throughout Europe. Great pains had been taken by ministers to reduce the expenditure in every prac-

ticable way. In his own opinion, the reduction of the military establishment had been greater than prudence and the necessary demands of the country required; and, in another point of view, this reduction tended to increase the general distress in a two-fold way; first, it increased the number of persons out of employment, and secondly, it tended to increase the poor-rates. His noble friend had complained that the speech from the throne had referred to late acts of violence, before sufficient grounds had been laid before the House to justify such allusion. He should have thought that the circumstances alluded to were sufficiently notorious to the House, independently of any detailed evidence upon the subject. It was impossible that the House could be better informed than it already was upon the general state of the country, but he was authorized to state, that he should on Friday next present a message from the Prince Regent upon the subject, and it would be for their lordships to inquire into and examine the causes of that state, and for that purpose all necessary papers and information would be laid before their lordships. In looking to the present situation of the country, with all his feelings of regret for the general distress which prevailed, he derived much consolation in contrasting its condition with that in which it must have been had a different policy been pursued. Instead of enjoying an honourable peace—instead of existing as a nation—the country must have been overwhelmed by the ambition of the late usurper of the French throne, and at best it could have only maintained an armed peace, or on the other hand an interminable war. He could not concur in the amendment, because he could not imagine what good purpose it would answer, particularly as the speech from the throne, called the attention of parliament to every reasonable object necessary for discussion.

The Earl of *Darnley* thought the speech from the throne was not adapted to the real state of the country, nor such as the public had a right to expect under their present difficulties. He could have hoped that the ministers of the crown would have advised the Prince Regent to imitate the magnanimous example of queen Anne, who sacrificed the means appropriated to the splendour of the throne to the welfare of her people. Had this advice been recommended and adopted, he was quite certain that the outrage upon the Prince

Regent would never have been committed. He, for one, entertained no feelings of despondency, but it was his firm belief, that the only hope of rescuing the country from its present peril was founded in a determination on the part of parliament to do its duty.

The question was then put, and the amendment being negatived without a division, the Address was agreed to. On the motion of the earl of Liverpool, addresses of congratulation were ordered to be presented to his royal highness the Prince Regent, her majesty the Queen, and to the illustrious pair, upon the late happy nuptials between the Princess Mary and the Duke of Gloucester.

HOUSE OF COMMONS.

Wednesday, January 29.

PETITIONS FOR REFORM, &c.] Lord *Cochrane*, previous to the House coming to any decision on the address, in answer to the speech of the Prince Regent, and particularly on that part of it which related to the late disturbances, wished to read over so much of a petition, which he held in his hand, as he thought would suffice to express the sentiments of those from whom it was presented, on the subject of a reform in parliament. The Petition was signed, as he was informed, by 15,700 inhabitants of Bristol and its vicinity. He then proceeded to read part of the petition, which set forth the present distress of the country, the increase of paupers and beggars, the want of employment for industry, and the misery which resulted from this state of things. Under such circumstances, it went on to declare, that it was in vain to pretend to relieve the sufferers by giving them soup, while half their earnings were taken from them by the enormous taxation under which the country groaned, for the support of sinecure placemen, pensioners, and an insatiable civil list. To remove the evil, it was necessary to look to the causes of it, and no adequate relief, it insisted, could be afforded, but by a reform in parliament. While the noble lord was reading, some noise having occurred, he took occasion to call the attention of the House to the petition now in his hand, and declared it to be absolutely necessary that the House should hear the complaints which it contained. Whatever some gentlemen might think of the present aspect of our affairs, he considered the times to be most por-

tentious. Actuated by no feeling but the love of his country, which had ever animated him, he thought he did but his duty in bringing the prayer of the petitioners under the notice of the House, and he trusted silence would be maintained while it was read.

The *Chancellor of the Exchequer* spoke to order. He believed the course taken by the noble lord to be at variance with the rules and with the practice of that House. A member having a petition to present had a right to state the substance of it; it was then for the House to determine whether it would receive it or not; and if received, it was afterwards read by the clerk.

The *Speaker* said, unquestionably the right hon. gentleman was right as to the practice of the House. The member presenting a petition had a right to state the substance, and when received, it was read by the clerk; but in strict order, the member had no right to read it when presenting it to the House.

Lord *Cochrane* said, he had read part of it, because no description of its substance that he could have offered would, in his opinion, have given a proper idea of its contents. He had often remarked, that when petitions were presented which did not accord with the views of those who were in the habit of voting with ministers, it was common to oppose the reading of them by making a noise in the House, which had frequently been so great, that sitting on that bench he could not hear them. On presenting a petition like the present, signed by 15,700 persons, he was anxious to call the attention of the House to the subject matter of it, as he thought it was of some importance that they should know what these petitioners required before those measures were determined on, which it might be proposed to found on that part of the Prince Regent's Speech to which he had referred. He had on the present occasion attempted to read the petition himself, because the clerks (without any blame to them), had in many cases not read such petitions with a voice sufficiently audible to obtain that attention which they ought to receive.

The *Chancellor of the Exchequer* apprehended, that if there were any irregularity or disorder in the House, it was the province of the chair to correct it, and that it did not belong to any individual member to address to that House what was called an admonition.

The *Speaker* expressed a hope, that after the admonition now a second time given, there would be no recurrence of a similar breach of order on the part of the noble lord.

Lord *Cochrane* after expressing a hope that the clerk would read the petition audibly and distinctly, and that the House would attend to it, challenged any person to produce an instance in which the slightest wish to subvert the constitution, or to promote riot, was expressed at any meeting to petition upon the subject of parliamentary reform. He was authorised to say that no such instance had occurred. At the meeting at Bristol, from which proceeded the petition he now held in his hand, no riot or symptom of riot appeared except on the part of a police officer, who endeavoured to create a riot. Then as to the meeting at Spa-fields, it was notorious that the riot which took place on the day that meeting was held, had no connexion whatever with the meeting, but resulted from an assemblage of such desperate characters as were always to be met with in a great town, and who had collected to witness an execution at the Old Bailey. The riot was to be attributed to those men, accompanied, no doubt, by some starving seamen—yes, by seamen driven to desperation by dire want in that country whose battles they had gallantly fought.

Mr. *Webber* called the noble lord to order, observing that he was wandering from the question. As to the petition, he could not doubt, from what the noble lord had read, and from the strain in which he had indulged, that it was inconsistent with decorum.

The *Speaker* observed, that when a member rose to order, it was his duty to confine himself to the point of order.

The petition was ordered to be brought up. On the motion, that it be read,

Mr. *Fremantle*, referring to the order of proceeding upon the subject of petitions, remarked, that the reading of any petition by the member presenting it could not regularly take place, for this obvious reason, that the first motion was, that the petition should be brought up, which motion must be agreed to before the second motion could be put that the petition should be read. He adverted to this course of proceeding in order to guard against the recurrence of any such irregularity as the House had witnessed.

The petition was then read. On the motion that it do lie on the table,

Mr. *Protheroe* said, that not having seen the names of those who signed this petition, he could not tell from whom it came. There was undoubtedly an advertisement for a meeting at Bristol for the purpose of petitioning upon the subject of parliamentary reform, and a meeting did accordingly take place, but of whom that meeting consisted he could not say. He could however aver, that not one of his constituents ever asked him to support this petition, and he could also add his assurance that such petition did not convey the sentiments of the city of Bristol.

Mr. *Hart Davis* expressed his conviction, that not one-hundredth part of the people of Bristol attended the meeting from which this petition purported to come. The feeling indeed excited at Bristol by the advertisement of this meeting might easily be judged of from this fact, that as soon as the advertisement appeared, no less than 1,200 citizens voluntarily stood forward to act as constables for the preservation of the peace. Whatever opinions might exist among the electors of Bristol upon the subject of parliamentary reform, he could confidently assert, that those opinions bore no relation to the sentiments of the meeting from which this petition emanated. He could say with his colleague, that he knew not of whom the meeting alluded to was composed, but this he knew, that this petition was not to be considered that of the city of Bristol, and that it did not express the sentiments of his constituents.

The *Chancellor of the Exchequer* said, that how far this petition was from being that of the people of Bristol, the House, after what had just been stated, would be able to judge for itself; but as it was the petition of a public meeting, he could not see that it would be improper to lay it on their table. Some of the topics which it embraced might not have been well introduced, but, at the same time, he thought there was nothing so disrespectful to the House—so greatly transgressing its rules, as to call upon them to reject it.

The petition was ordered to lie on the table.

Lord *Cochrane* then presented from the township of Quick, in the parish of Saddleworth, in Yorkshire. The petition was read, setting forth,

“That the petitioners have a full and immovable conviction, a conviction which they believe to be universal throughout the kingdom, that the House doth not, in

any constitutional or rational sense, represent the nation; that, when the people have ceased to be represented, the constitution is subverted; that taxation without representation is a state of slavery; that war, as a cause of excessive taxes, being the harvest of those who live by corruption, the cause and character of the war which commenced in 1793, the petitioners now conceive to be, by the enlightened part of the community, well understood; that, as the tremendous tempest of war is not to be staid at the bidding of those in whose mad and wicked counsels it had its origin, so it is probable that the contrivers of the late war did not intend the magnitude and duration it attained, which magnitude and duration, by the portentous calamities now found in their train, are fast opening the eyes of a deluded nation to the evil deeds of its authors; that now these wicked rulers themselves, if not infatuated, must know that either that usurpation which has divested the people of their representation must be for ever put down, or the liberty of England must perish, and the security of property be annihilated; that there is no property in that which any person or persons, any power or authority, can take from the people without their consent; that the scourging of a taxation without representation is arrived at a severity too harassing and vexatious, too intolerable and degrading, to be longer endured without being unceasingly resisted by all possible means warranted by the constitution, until redress be obtained; that, in such a condition of their country, the petitioners are shocked to behold contending factions alike guilty of their country's wrongs, alike forgetful of her rights, mocking the public patience with repeated, protracted, and disgusting debates on questions of refinement in the complicated and abstruse science of taxation, as if in such refinements, and not in a reformed representation, as if in a consolidated corruption, and not in a renovated constitution, relief were to be found; that, in the discussions which they have witnessed, the petitioners see nought but what hath a direct tendency to place the English people in a situation in which the unrelenting lash of unconstitutional taxation may in all time to come be laid on to the extent of human endurance; that, instead of such a course, the petitioners hold it self-evident that there are not any human means of redressing the people's

wrongs, or composing their distracted minds, or of preventing the subversion of liberty, and the establishment of despotism, unless by calling the collected wisdom and virtue of the community into council by the election of a free parliament; wherefore, considering that through the usurpation of a borough faction, and other causes, the people have been put even out of a condition to consent to taxes, and considering also that, until their sacred rights of election shall be restored, no free parliament can have existence, the petitioners pray, that the House will without delay pass a law for putting the aggrieved and much-wronged people in possession of their undoubted rights to representation co-extensive with taxation, to an equal distribution throughout the community of such representation, and to parliaments of a continuance according to the constitution, namely, not exceeding one year."

The *Chancellor of the Exchequer* said, that the same considerations which induced him to accede to the admission of the last petition determined him to oppose the one just read. For the latter, while it contained no distinct proposition proper to be brought under the cognizance of parliament, presented a direct libel—a gross attack upon the privileges, the conduct and character of that House.

Lord *Cochrane* declared that he had not read this petition, nor could he hear a word of it from the noise that prevailed while the clerk was reading it.

The *Attorney General* said, that the House ought certainly to suppose, that the noble lord had read the petition, and had found nothing in it wrong, before he presented it. He himself had heard it distinctly, and he could state without difficulty, that it was, from the beginning to the end of it, a contrived, deliberate, and determined libel on the House, and its privileges.

The petition being again read,

Mr. *Brougham* said, that with great respect, he could by no means concur with his learned friend, that this petition ought to be rejected. His learned friend had asserted pretty confidently, that this petition contained a deliberate libel upon the privileges of that House—to which privileges, in point of fact, it had no reference whatever. It dwelt much upon the distresses of the country, which were notorious—which were, indeed, admitted in the Speech from the throne. It prayed

the House to take these distresses into consideration, and to adopt that which the petitioners conceived the best remedy, namely, a reform of the representation of the people in that House. This petition was certainly not drawn up in that becoming moderate judicious manner in which the learned gentleman, who was one of the most consummate advocates in the country, could have contrived to prepare a petition upon the same subject, were he now a friend to parliamentary reform. Faults might not be so well expressed, or arguments so strongly urged by ordinary hands, but unlearned or incapable men were not to be precluded from the exercise of their right to petition that House. Such preclusion would, indeed, be inconsistent with the privileges which the constitution guaranteed to all British subjects, and it would be inconsistent also with the best interests of the country. For facility of petitioning formed a natural preventive against violence. It held out to the people an encouragement rather to petition that House in all cases for redress, than to resort to illegal or riotous measures. On the score of policy, then, as well as principle, he was an advocate for facilitating the admission of all petitions from the people. But as to the object of the petition before the House, with respect to what the petitioners professed to consider as essential to parliamentary reform, he had no hesitation in stating, that he could by no means give that object his support. He was anxious, indeed, to take this early opportunity of declaring his decided opposition to the principle of universal suffrage, because it was his entire conviction that if that measure were adopted, it would operate to destroy the parliament instead of reforming it, and to overthrow the constitution instead of amending it, while it must serve to shake the universal security of property [Hear, hear!]. He was, however, an advocate for that degree of reform which was obviously necessary to remove those deficiencies which had been mixed up by time with that glorious fabric of human wisdom, the British constitution. But he was decidedly adverse to those wild, vague, impracticable propositions (and even if practicable, so pernicious) which were so loudly talked of. Recurring to the petition before the House, he observed upon the statement of the petitioners, that the evils of the country were attributable to the inade-

quate representation of the people in that House, and that universal suffrage was necessary in order to cure the disease. This was their argument, and as to the alleged inconsistency of the present system of representation with the principles of the constitution, it was to be recollected that the petitioners accompanied that allegation with a declared purpose to seek the recovery of what they deemed their rights, by constitutional means, and by proceeding in a legal manner. Again, the petition referred to the conduct of contending parties in that House, in perhaps rather ungracious terms, but that reference could afford no reason why the House itself should reject such a petition. But, under such circumstances as at present afflicted the country, it would ill become that House to be so chary as to the acceptance of petitions or complaints from any part of the people. He hoped that no such fastidiousness would be allowed to prevail, and that the motion before the House would be acceded to.

Mr. *Canning* observed, in the defence which the hon. and learned gentleman had made of the language of the petitioners, he had omitted to notice the consequence drawn from the statement of their constitutional objection to the present House of Commons, which he contended made it improper to receive the petition. He would admit, that without insulting the House, that mode of argument might be capable of being maintained, which was resorted to by those who were of opinion that other theories than those which govern, or which have ever governed this country, ought to form the basis of representation. But when they were told that they were, in no constitutional or rational sense, the representatives of the people; and when, having said this, the petitioners went on to assert, that the constitution had been subverted, this was no longer the language of petition; it was a direct excitement to rebellion. If we had no longer a constitution remaining, what was the language of the departed constitution? In such a case it justified resistance. The hon. and learned gentleman would agree with him in this, and concurring with him in this instance, why did he not say that he knew it was in the minds of the petitioners to restore the subverted constitution by resistance? If such language were tolerated, there was an end of the House of Commons, and of the present system of go-

vernment. He was disposed to throw open wide the doors of that House to the complaints of the people—he was content to receive the most insulting petitions, provided they led to no inference that practical resistance had become necessary; but they ought not to suffer those to be laid on their table as materials for discussion, which contained the direct and dangerous assertion, that the people of this country lived under no constitution. He therefore felt, that to receive the petition now before them, would be inconsistent with the dignity of that House, and with what was of more importance than the dignity of the House, the maintenance of the true and independent forms of the constitution. Whether it was true or not that the representation of the people in that House might be made better no one could have a right to say, that the sittings of a body which had existed for centuries was a usurpation, and that they had no title to meet as the representatives of the people.

Mr. *Wynn* expressed his surprise at such language as the House had heard from the last speaker. It was impossible indeed, not to be astonished, when a distinguished political leader, when a minister of the crown, declared, that he would not object to a petition containing the most insulting language. He would be as ready as any man to receive and attend to the petitions of the people, but the petition before the House was peculiarly objectionable. It contained comments upon the debates of that House, which were utterly inadmissible at any time or under any circumstances. The conduct of the House of Commons, with respect to the Kentish petition, which recommended that its addresses should be turned into bills of supply, evinced the feeling which had governed, and which should always govern the House with respect to its privileges.

Mr. *Canning*, in explanation, said, he had not wished the House to submit to insult. All he meant was, that he should not be disposed very critically to examine the language of petitions, provided the principle on which they were founded was unobjectionable.

Mr. *Brand* said, there was no person who felt more anxiety or more zeal than he did upon the great question of parliamentary reform—of a reform which should originate in that House. Without looking to the wild and impracticable schemes of

demagogues, whose interference retarded rather than accelerated reform, without looking to the vain theories of annual parliaments and universal suffrage, which were neither consistent with constitutional practice, nor known in any period of our history, he still must regret, if any thing contained in the petition should cause its rejection. On hearing it read, he confessed he doubted much whether it would be received, because he knew the practice of the House with regard to petitions of that nature. He was well aware he could not, in his place, assert that they, the House of Commons, were not the representatives of the people; but, speaking historically, he was at liberty to assert, that former parliaments did not fairly and truly represent them: Now, whatever restrictions that House might think fit to impose upon its own members, it was surely somewhat hard to require from rude and illiterate persons so much nicety of distinction, so much precision of language. He did not think the House ought to require such minute accuracy in the forms of expression to be employed by their petitioners, and therefore he was anxious to see the present petition adopted. The right hon. gentleman had expressed much indignation at the language of the petition, because it spoke of the subversion of the constitution; but he must beg leave to observe, that, not only in the language of parliament, but in common parlance, it was no unusual thing to assert that the constitution was at an end, when alluding to any particular act by which its principles were violated. Did it therefore follow, however, that resistance and rebellion were to be resorted to? Certainly that was hunting for an inference with a degree of assiduity, perfectly unnecessary on the present occasion. He lamented the course which had been adopted, because he firmly believed that a thorough constitutional reform was the great basis upon which our future glory, our future liberties, and our stability as a nation, must depend. As to the persons who had advocated the question out of doors, he considered them as the most decided enemies to reform that could be found, and he should deeply regret it, if their conduct were to disgust those who entertained more discreet and rational notions upon the subject.

Lord *Cochrane* said, that no one could regret more than he should, the offensive wording of the petition, if this should

cause it to be rejected, knowing, as he did, and as they all did, that those from whom it was presented, and who felt most on the subject, were the least capable of entering into all the nice subtleties of language. It had not struck him as it did the attorney-general, that this petition contained any thing derogatory to the dignity of the House of Commons, such as it ought to be. He hoped that the petition would be received, and that it would not be opposed from any petty objections to the wording of some parts of it.

Mr. *Lamb* said, it was impossible for him not to explain the motives of the vote which he intended to give. He certainly agreed with the right hon. gentleman and others, that the petition was full of violence, and full of petulance, and he was as anxious as his hon. friend to take the earliest opportunity not only of testifying his disapprobation of annual parliaments and of universal suffrage, but also of every other plan of parliamentary reform, of every other scheme and device, which he had either heard or read of in the various discussions out of doors. All those plans proceeded from mistaken views of the subjects, and from misrepresentations of the ancient history of the country. In all the resolutions which had been agreed to at recent meetings, there was not one truth fairly told, nor any portion of truth introduced, which was not dashed or brewed with lies and misrepresentations. At the same time he must maintain, that no sufficient ground had been alleged, in his opinion, for rejecting the present petition. It only stated, and that not in very outrageous language, the principles and arguments of parliamentary reform. The petition which they had just received contained matter that appeared to him much more objectionable. He remembered, and the House would remember, the emphatic language of their Speaker, when he declared that their doors should be thrown wide open for the reception of petitions; but a line should be drawn. Those petitions which denied the authority of that House, and its power to make laws, ought to be rejected; but the present petitioners did not go to that extent; on the contrary, they fully admitted both those functions, in their prayer to the House that it would be pleased to pass a bill for parliamentary reform. The former petition adopted a different style, and prayed that the House would receive and pass a bill for that purpose. The bill was to be prepared out of

doors, and they were to sit there in order to receive and pass it. That was the popular doctrine now, with the gentlemen who had taken the subject of reform into their hands; they were to get the bill ready, and send it to the House of Commons as a mere formality necessary to give it the effect of a law. That doctrine reminded him of what took place at the end of the civil wars, when notions of a republican form of government were generally diffused. Serjeant Maynard, and some of the old reformers who still retained an attachment to constitutional forms, in the midst of all their republican zeal, proposed that a king should be elected for the purpose of giving the royal assent to bills, but that all the other functions and authority of royalty should be utterly abolished. Upon the whole, he considered the present petition as less objectionable than the former one which had been received, and therefore he hoped it would not be rejected.

Mr. *Bathurst* said, the whole tenor of the petition maintained that that House did not, in any constitutional sense, represent the people, and that, being so constituted, by enacting laws and imposing taxes, the constitution itself was, in fact, subverted. If the House were prepared to admit that assertion, then they had no right to legislate any further, for they were not competent to pass any acts. He was aware that a licence was allowed in the debates of that House, but when similar language was employed by bodies out of doors, it ought to be carefully watched. Unless they were disposed to lay it down as a principle, that any petition might be received, however insulting, provided it concluded with a prayer for the introduction of a bill, they must reject the present petition. He saw nothing that would prejudice other petitions, by closing the doors against the present one. Its only object was to degrade that parliament, to which, notwithstanding, it applied for relief.

Mr. *F. Douglas* supported the motion for the reception of the petition. If it were to be rejected on the ground of its alleging that the House did not represent the people, the House must on that ground reject every petition that had for its object a reform of parliament. He thought that the rejection of the petition might tend to increase the disaffection that had been complained of, and that, if the House wished to check that spirit, they must be indulgent to all petitions.

Sir *S. Romilly* said, he had read the petition, and though he could not entirely approve of the language in which it was couched, yet, at the same time, he did not, in his conscience, believe that it was intended to convey any insult, and he thought the House ought not to be too nice about forms of expression. Besides, it was very possible that the same language might be employed in other petitions, and it would be of the most serious importance if they were to refuse petitions from every part of the kingdom, upon such a subject as the present. When the petitioners said, that the House of Commons was not, in any rational or constitutional sense, the representatives of the people, what else could they say, while applying for parliamentary reform? That was the very ground upon which the petition necessarily rested. He really thought the right hon. gentleman carried his refinement too far, when he inferred that such language was preaching up rebellion and resistance. If he imagined for a moment, that it entered into the thoughts of the petitioners to insult that House by their language, he would be the first to say, that they ought, for their own dignity and consistency, to reject the petition with indignation, but he did not think so, and therefore he should vote for its reception.

Mr. *C. Grant*, junr. said, he did not know whether the petitioners intended to insult that House or not, but when he saw a document which contained every expression that could convey an insult; when the allegation, that the House of Commons did not represent the people, was followed up by the broad assertion that the constitution itself was subverted: when he perceived no want of literary talent, no deficiency of knowledge, in that document, and when he saw that if it was intended to insult the House, it would be impossible to select any language more appropriate for such a purpose, he confessed he knew not what other inference could be drawn from it. If such a petition were permitted to lie on their table, they would never be authorized hereafter to reject any other, however insulting or disrespectful it might be.

Sir *W. Geary* said, that if the arguments of the hon. gentlemen opposite were to have weight, he could not see in what manner the people could have any petitions delivered to that House. The question between that House and the

people was, whether the latter were or were not fairly represented among them? If the people thought they were not duly represented, in what other terms could they express their complaints, than those which they used in their petitions before the House? The right hon. gentleman opposite had said, that if such doctrines as the petitioners proclaimed were tolerated, their evident tendency must be to foment rebellion throughout the country. Now it was notorious that such doctrines were general throughout the country; and the feelings displayed by the people furnished the best refutation of the right hon. gentleman's inference; for if the practical result, as he said, would be a state of rebellion, why was not that rebellion now in existence all over the kingdom, for over that surface had these opinions spread? It was an unjust imputation upon the people to say that their intentions were to libel the House. They came to lay their great and heavy grievances before the House of Commons, and they ought, in return, to receive suitable redress.

The House then divided :

For receiving the Petition..... 48

Against it 135

Majority 87

The petition was consequently rejected.

Upon our readmission into the gallery, we found the clerk reading another petition for parliamentary reform, presented by lord Cochrane. When his lordship moved, that it should lie on the table,

The *Chancellor of the Exchequer* observed, that after the decision which had just been pronounced upon the former petition, he need not trouble the House at any length with respect to the present one, which was nearly a verbatim copy of the other. He would leave the House to judge how far those petitions were to be considered as the genuine and authentic language of the petitioners, or how far they were the dictation of certain factious demagogues who were now agitating the question of reform throughout the country.

Lord *Cochrane* said, he was in every respect ignorant of the views of the petitioners, or how the petitions were drawn up. They were put into his hands, and he considered it his bounden duty to present them. As to their tendency, he would venture to say, with regard to himself, that, notwithstanding all the misrepresentations which

had gone abroad, there was no man in the country more sincerely attached to good order and to the government than he was. But that abuses had crept into the constitution, which ought to be instantly corrected, was a truth which no man at all acquainted with the history of the country could deny. It was therefore by no means proper for them to cavil about the mere form or construction of words, but to receive the petitions of the people, as thus only could the sense of the country be known. By rejecting these petitions he was afraid the people would be too successfully irritated, and consequently too much scope given for the exercise of those coercive measures alluded to in the Speech from the throne. He was conscious that in presenting these petitions he was doing nothing more than his duty. He remembered very well the time he was first returned as a member to the House, which was for the borough of Honiton, and on which occasion the town bellman was sent through the town to order the voters to come to Mr. Townshend's, the head man in that place, and a banker, to receive the sum of 10*l.* 10*s.* [Hear and a laugh]. This was the truth, and he would ask, how could he in that situation be called a representative of the people in the legitimate constitutional sense of that word? He knew very well, that he might be punished for what he had done. Though he was now conscious that he had done wrong, he assured the House that that was the very way by which he had been returned. If any member disputed it, he could only say he was willing to show the bills and vouchers which he had for the money. He had no doubt but there were very many in that House who had been returned by similar means. His motive, he was now fully convinced, was wrong, decidedly wrong, but as he came home pretty well flushed with Spanish money, he had found this borough open, and he had bargained for it; and he was sure he should have been returned had he been lord Camelford's black servant or his great dog [a laugh]. It was not now the proper period to enter into any discussion respecting the object of these petitions, but he felt himself bound to say, that were a petition put into his hands, he should have no hesitation in presenting it to the House, even though it differed materially from his own opinions. As to the allusion made to demagogues, he trusted the time was not far distant when the House would feel convinced that neither within nor without

its walls, had he ever said that which was not. He also trusted the House would duly consider, before it rejected the petitions of the people, and would make every proper allowance for the irritation of their feelings.

Mr. *Canning* allowed, that the noble lord had only done the duty of a member of parliament in taking charge of the petitions. But after the recent decision of the House, was it politic in him to press the reception of a petition, containing the very same language, without giving an opportunity to those, by whom it had been drawn up, of making any alterations which might enable the House to receive it, consistently with its dignity? He would advise the noble lord, although he feared his advice would not be received, to withdraw the petition for the present. By doing so he would act better by those who had signed it, than if he continued to press it, in its present state, on the acceptance of the House.

Lord *Cochrane* consented, with the leave of the House, to withdraw the petition, as the general feeling seemed to be, that it was couched in such language as could not be received. His lordship then presented petitions from Lees, in the parish of Ashton-under-Line, and from the town of Oldham, which were ordered to lie on the table. He next presented a petition from Ashton-under-Line.

The *Chancellor of the Exchequer* asked if it was not couched in the very identical language of the one that had been rejected by the House, and of the other that had been withdrawn?

Lord *Cochrane* answered, that if any hon. member would say it was the same, he would withdraw it. And on being a second time questioned, he replied, that it might be, to as certain extent, the same, but contained, in addition, other matter.

It was accordingly read, and was found to contain the identical language that had been objected to in the one that was rejected. Upon the motion of the noble lord the question was then put, that the petition do lie on the table, when it was rejected without a division.

Lord *Cochrane* then presented a petition from the town of Oldham in the county of Lancaster.

Lord *Stanley* observed, that there was already on the table a petition from the same town. He wished the noble lord to state whether it was the same. He would own that he had no knowledge of these

petitions previously to the present motion. He was aware that a great number of petitions on the same subject were intended to be presented from that county to the House, but with these he was not in the least acquainted. He hoped in behalf of those of his constituents who had thought the noble lord more worthy of being their representative, that if this petition were couched in the same objectionable language as those already rejected, he would give them an opportunity of re-considering their expressions, and rendering them more fit to be received.

Lord *Cochrane* stated, that the petitions had been placed in his hands without any interference on his part.

Lord *Stanley* wished to know whether the present petition was the same as the former.

Lord *Cochrane* thought that it complained of different matters.

Mr. *Wynn* stated the simple question to be, did the petition now presented contain in the judgment of the noble lord, language as disrespectful to the House, and as derogatory to its dignity, as the one which it had rejected? If it did, surely the noble lord was not conducting himself with due regard to the feelings of the House if he persisted in pressing its reading.

Mr. *Huskisson* observed, upon looking at the petition, that the prayer of it was written on one piece of parchment, and the signatures on another. No signature was to be found at the bottom of the petition; and for any thing that appeared to the contrary, the petitioners might never have seen the application to which their names were attached. Could the noble lord in these circumstances, from his knowledge of the parties, assure the House that the petitions he presented were genuine, and not mere fabrications? Might not the signatures be previously obtained for some other object, and affixed to a document which had not been subjected to their examination, and the contents of which they did not approve?

The *Speaker* called the attention of the House to the principle upon which its proceedings in all cases like the present were regulated. The rule was, that every paper presented to the House as a petition should have a signature subscribed of the parties whose prayer it purported to convey. If the names of the petitioners and the application were written on separate papers, and merely attached to each other, there was no certainty that any authority

was ever given for uniting them. In looking at this petition, there was no one signature on the same piece of paper with the petition itself. It was not necessary that all the names subscribed should be on the same paper with the application itself, but it was indispensable that some of them should.

Sir *F. Burdett* asked, if any man could lay his hand upon his heart, and say, that he disbelieved that the signatures appended to the petition were those of persons who did not concur in it, who had not subscribed it, or who did not agree in its prayer? Different persons residing in different and distant parts of the country might subscribe at different times on a separate paper, detached from the prayer of the petition, for the sake of convenience; but such a mode of procedure furnished no ground for doubting the authenticity of the document when the two papers were joined. In all petitions with numerous signatures there must be some of the names on paper originally disconnected with that which contained the body of the application, but this circumstance was never made an objection to the reception of such documents. If a petition purporting to be subscribed by several hundreds, but which only contained six signatures at the bottom of the prayer, could be received as the petition of those hundreds, why not a petition that contained only one or none at the bottom, but carried them all to a separate paper? His opinion was, that the petitions were genuine, and as such should not be rejected from the mere want of technical form. This was the first time that ever such an objection was brought forward or acted upon. [No! no, from all parts of the House]. A petition had been rejected as he entered the House, and he knew not on what grounds: no reason was stated, and no discussion entertained.

The *Attorney General* observed, that if the hon. baronet had been in the House he would have known the reason of the summary rejection of the petition. He could not agree with the hon. baronet, that the objection now under discussion was merely technical. If petitions could be received written with the signatures on one piece of paper, and the application upon another, what security had the House that they were genuine? Might there not be a bureau in town for the manufacture of petitions, and another in the country for procuring signatures? And

might not some demagogue join the operation of the two without any authority from the persons whose names were employed? The House should be open to the grievances and representations of the people, but it should know whether the statement of those grievances and the prayer for relief really came from themselves, or were brought forward by persons who abused their confidence, in order to inflame public discontent. The noble lord had no reason to complain of the rejection of the petition. He could give no information about the parties. He could not tell who they were—whether they had subscribed, or whether the whole might not be a fabrication of which he was made the dupe.

Mr. *Elliot*, since he had held a seat in parliament, had never voted for the reception of petitions, the whole spirit and tenor of which were insulting to the House. It was because he most highly valued the right of petitioning, that his chief aim was to guard it from abuse. The hon. baronet had misunderstood the subject. It was necessary that there should be at least one signature on the sheet of the petition, and it remained for the House to decide whether it would now depart from its usual practice.

Lord *Cochrane* being asked whether the petition was the same as that which had been rejected, replied that he could not say as he had not perused it.

The *Speaker* said, that every member was bound to read the petitions he presented, and to determine in his own judgment on the propriety of the terms in which they were expressed, before he brought them forward. If the noble lord had not read this one, he might move for leave to withdraw it for that purpose, and bring it forward at another opportunity.

Mr. *Wynn* objected to the petition being received, unless the noble lord would state that it varied from the abusive language of that which had been rejected.

Mr. *Robinson* thought that the noble lord had only himself to blame for the difficulties which he had encountered.

The *Speaker* said, that no name appeared on the sheet of the petition. Was the noble lord prepared to say that no name was affixed to it?

Lord *Cochrane* acknowledged, that in that sense there appeared to be no name to the petition.

The *Speaker*. Then the noble lord is not at liberty to present it.

Lord *Cochrane* said, he was happy, at least, that he had been the means of acquainting the public with the usage of the House.

The *Speaker* said, it was no new usage, but one which had existed for ages.

The petition was then rejected. Lord *Cochrane* then presented a petition from Delph in the parish of Saddleworth in the county of York.

Mr. *Canning* asked if it was not couched in the identical words of the one that had been rejected?

Lord *Cochrane* answered, it did not appear to him to be exactly the same; and upon the *Speaker's* saying that it seemed to be *in terminis*, the identical petition, his lordship, replied, that he had been so much importuned upon the subject, that he had forgotten the exact words of the rejected one, and could not say till he heard it whether this was the same. In consequence of this declaration, it was read to the end, when his lordship moved that it do lie on the table.

Mr. *Canning* observed, that he had purposely waited to hear the motion of the noble lord till he delivered his sentiments on the conduct he was pursuing. After one petition had been rejected by the House as disrespectful to its dignity; after the noble lord saw such a general feeling on all sides against him; after he himself had consented, in consequence of the expressed sense of parliament, to withdraw another obnoxious application; after the dignified and friendly warning of the speaker, it did appear to him extraordinary and unaccountable, that the noble lord should move to receive this petition, and pertinaciously continue to press upon the House language which it disapproved and renounced. He could not conceive what possible object the noble lord could propose to himself. He could not conceive in what way he could reconcile his conduct to any principles of public good, or expect to produce any advantage to the country. Could he think that he was benefiting the cause of which he professed to be the advocate? God forbid that the petitions of any body of his majesty's subjects should be disregarded! God forbid that applications for reform should be rejected without consideration, and that reform should not be entertained as a subject for fair discussion! but surely the noble lord, so far as allowing it to be brought forward with favour, was injuring it as far as his influence extended. The

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Speaker had laid down the rules by which the practice of the House in receiving petitions was guided: he had stated that they were not new rules, and that they required the names of some of the petitioners to be subscribed to their petition: but still the noble lord persisted in pressing the reception of their application in opposition to the sense of parliament, and the decision of so high an authority. An hon. baronet had concurred with the noble lord, and seemed to think it extremely ridiculous, that because a petition with a few names should be received, one without any names at all should be rejected. There was nothing absurd or ridiculous in this. A petition with only one signature on the same parchment with the matter of the document could be received, because the petition of one individual deserved consideration from parliament, if conveyed in respectful language; and in addition, gave some security for the authenticity of the whole application, but no security against fabrication was obtained when there was no signature. He did believe that the suspicions of the House were justified on the present occasion: for these petitions were not only expressed in the same terms and with the same spirit, but appeared to come from the same office, and to be written with the same hand. The noble lord had a plain course to pursue, either to give up the prospect of presenting the petitions altogether, or to get them amended and authenticated by those whose prayer they purported to express; but he should not press them on the House in their present state, after the marked manner in which they had been rejected. If the petitioners were really anxious to obtain the object for which they petitioned, they would think it no hardship to convey their application in proper terms. The noble lord had consented at his recommendation to withdraw one of the petitions; and he could not conceive what had operated upon him so sudden a change, as to induce him again to bring forward the very same petition, and to move its reception with so much pertinacity. He entreated the noble lord to follow the usual parliamentary course, and not to think that the House would be driven by mere pertinacity to do one moment what it had the moment before disapproved of.

Lord *Cochrane* denied that he pressed the receiving of the petition from mere pertinacity. Knowing that they were all the

same in substance, and forgetting the particular words objected to, he did not think the rejection of one was a sufficient reason for refusing to hear another. He, therefore, as a member of the House, exercised his undoubted privilege in laying them before it, and in moving that they should be received, without intending any disrespect, or being guilty of any obstinacy.

The motion was negatived.

CONFERENCES WITH THE LORDS.]

Mr. *Wynn* rose to call the attention of the House to a subject which he conceived was extremely worthy of their notice, namely, the alteration of the usual form of proceeding, and the accommodation supplied to the managers of the House of Commons in their conferences with the Lords. He understood, from ancient usage, that, on a conference of the two Houses, they met in the painted chamber, where the Lords sat on one side, covered, and the Commons stood on the other side uncovered; but yesterday he observed, for the first time, that the seats of the Lords were elevated, there was no table in the room, and the managers of the Commons were placed outside the bar. This alteration of the usual form certainly required some explanation, more particularly as the House had yesterday thought proper to notice, that it was contrary to custom for the Lords to send a message to the Commons by their clerk-assistant. He had no reason to believe that the Lords intended any disrespect to the managers of the Commons on this occasion; but that the want of the usual accommodation must have arisen from some mismanagement in the board of works. He had thought it his duty, however, to mention this occurrence to the House, in order that the Commons might not be deprived of their undoubted privileges.

The *Chancellor of the Exchequer* should be one of the first to resent any departure from the respect due to the managers of the Commons. But the suddenness of the occasion appeared to him the probable cause of the alteration of which the hon. member complained.

The *Speaker* observed, that the House was very properly jealous of its privileges, especially in its intercourse with the other House. It was now 150 years since the forms of conferences between the two Houses had been settled as they now stood, and he thought it would be proper to send a message to the Lords, to desire

to have the same accommodations afforded as before. If any member would propose a motion of that nature, it could not fail to prove welcome.

Mr. *W. Smith* stated, that there was not the slightest degree of ill humour in the gentlemen of the Commons during the conference. Had there been there were other grounds of complaint which might have been brought forward. He had seen some of the highest officers of state among his majesty's ministers kept waiting for a considerable time, before any of the lords made their appearance.

Mr. *Wynn* thought that it would have been the duty of the managers on the part of the Commons to have retired immediately when they found that they had to wait, had not the importance of the subject detained them. He concluded by expressing his intention to propose a motion of the nature suggested by the Speaker.

Lord *Stanley* said, he was in the House of Lords at the time when the conference was demanded. No sooner had their lordships heard that the Commons were in attendance than they immediately went out to meet them. The messengers would also have been sent much earlier to the Commons, had not the Lords waited in the hope of getting a master in chancery.

ADDRESS ON THE PRINCE REGENT'S SPEECH AT THE OPENING OF THE SESSION]. On the motion of Mr. *Canning*, the House resumed the adjourned debate upon the Amendment which was yesterday proposed to be made to the motion for an humble Address to his royal highness the Prince Regent for his most gracious speech to both Houses of Parliament. The Speaker having read the original motion and the amendment,

Mr. *Curwen* rose and said:—Sir, truly sorry am I to feel obliged to force myself on the attention of the House. Sensible of the importance of unanimity at this awful crisis, I would willingly have made some sacrifices to have promoted it: but, Sir, an imperious sense of duty forbids me apparently to sanction the deception which I conceive the speech from the throne, and, the address in reply to it, are calculated to produce—Sir, in this House, it is perfectly understood, that the speech from the throne is that of the ministers, and that whatever observations are made on it, they intend not the slightest disrespect to the sovereign. Never were the hopes of the country excited to so high a

pitch. They look to our deliberations for an amelioration of their sufferings. Great as are the distresses of all ranks in society, they confide that the honest discharge of our duty may stop the farther progress of the evils they suffer, and lay the foundation of returning prosperity to the nation.

Admitting us honestly to do our utmost, I fear it may be impossible to satisfy the expectations that have been formed. To keep faith with the public creditor, burthens oppressive to agriculture and trade, I fear, must for a while at least be continued. To satisfy the people, therefore, they must be fully informed of the real situation of the country. Justice to them, justice to ourselves, require that we should deal fairly and honestly by the country. Besides the criminality in endeavouring to conceal from the public the actual situation of the finances of the country, it would be the height of folly to attempt it. The people feel too much and know too much to be duped, even were we so inclined. Great as are the dangers which threaten us, they will every day augment so long as we apply palliatives instead of efficient remedies. From the spirit and intelligence of the nation every thing may be expected, if it be dealt fairly by. I do not despond, if the House determine manfully to meet the danger; but I shall, if they subscribe in the present session, as they did in the last, to the evil of the day being sufficient thereto,—and content themselves with getting over the present moment, without looking to the infallible consequences that must ensue by thus delaying to apply a radical cure to the evil before a national bankruptcy and the ruin of the country become irresistible and irremediable.

It is on these grounds, as well as a distrust in the professions of his majesty's ministers, that I am compelled to solicit the attention of the House in my endeavours to persuade them to concur in so pledging ourselves that it shall be impossible to break faith with the country. Sir, on a former session in which the crown recommended economy—the nation hailed it; but how have these promises been kept? By increase of salaries—by creation of new places. What was wrung from the ministers was by force. To the extent of their power they opposed retrenchment, and clung to those corruptions which have degraded us in the public opinion. Even the grounds on which it is to be supposed ministers had framed their estimates, were

cut from under their feet; still they adhered to force the money out of the pockets of the people, by pledging the resources of the country to obtain it. We come, therefore, to the discussion of the present address with well-founded jealousies, and have a right to expect that if it be the wish of his majesty's ministers to have these removed, they should concur in so pledging the House to every species of inquiry, that their present sincerity may remove the former distrust of them.

I cannot but view the present address as calculated to raise hopes, and inspire expectations in the country, which we know cannot be realized. The eloquent speeches of the mover and seconder of the address, many topics of which I highly approve, took a very confined and erroneous view of the situation of the country. Were our deficiencies confined to a defalcation of three millions only in our taxes, though it would be a subject of regret as a proof of the distress of the moment, it would not justify serious alarm in a country possessed of the resources of Great Britain. No, Sir, this forms but an inconsiderable item in the state of our affairs. At the conclusion of the last session of parliament, it was not denied that the current expenses of the year exceeded by 17,000,000*l.* the amount of our revenue; admitting the same scale of expense, the next deficit will not, this year, be less than 20,000,000*l.*! The address congratulates the country that no new taxes will be required. Is not this a mere mockery, too shallow to dupe the most credulous? Do not all classes stagger under the difficulties of the times, so well satisfied of the utter impossibility, not of sustaining fresh burthens, but of bearing up against the pressure of those in existence? Is it not notorious that all ranks are driven to retrenchment as their only resource?

Fortunate was it for ministers, that this House had the virtue to reject the proposition for the continuance of the income tax. Do ministers themselves doubt now, that it would have been impossible to have collected it? Two quarters would have accrued, amounting to 4,000,000*l.* Taking the nett income of property to be 35,000,000*l.* seventeen millions, and a half should have been paid in rents. Let me ask gentlemen, do they believe that one half of the sum has been received? Greatly do I question it? One fourth, or eight millions is probably as much as has been paid. Had a majority of the sum paid passed

into the coffers of government, what must have been the distress and ruin of the moment? Great as it is, it would have been aggravated in a ten-fold degree, and completed the total ruin of the country. On what rational grounds do ministers place their hopes, that the present state of the country will be of short duration, and that we are only undergoing those sufferings incidental to the transition from war to peace? Will the present state of the country bear any comparison with that of any former period? For instance, with the American war? Our burthens were then comparatively light, and enabled the agriculture and commerce of the country speedily to recover. Now, Sir, the government and parochial burthens are such that they swallow up a large proportion of the rents and profits of the land. In 1786 the poor-rates did not reach two millions; they are now nearly eight in ordinary years—probably ten in the present. What is the state of the farmer with capital exhausted, above a year's rent probably due to his landlord? Can this be extracted from him without the ruin of both landlord and tenant? I do put it to the House to consider, whether 35,000,000*l.* (no trifle), which is now due, can be likely to be paid in less than two or three years. If in this half year, rents have been so ill paid, what are the prospects for the next? It would be folly—it would be criminality to disguise these truths from ourselves or the country. What must be the effect of this state of things? Money is not to be borrowed but on usurious contracts. Nothing remains to all ranks and classes but retrenchment. Luxuries must be abandoned by the gentry of England; and I verily believe, they will consider themselves fortunate if they can obtain the things absolutely necessary for comfort. Where, then, Sir, is the prospect of any speedy improvement in the revenue? Are the assessed taxes likely to suffer no diminution? Will the excise and customs be unaffected by the gigantic scale of retrenchment which is taking place in the expenditure of both high and low? Is it dealing fairly by the country to hold out expectation of the evils we suffer being temporary?

Sir, I anticipate as much from the spirit and intelligence of all ranks of the community as any man, but I do not expect impossibilities. I by no means despair, if the House does its duty, and probes to the bottom the state of its affairs; but by weak,

inefficient, and delusive measures, the country may be brought into a state in which bankruptcy may be inevitable. This must continue my opinion until I hear better arguments than yet have been offered for the temporising expedient of issuing exchequer bills on the one hand, whilst to the same amount we are purchasing up the funded debt on the other; a momentary advantage of no great amount may be gained by it; but who knows when in another year, all the promises and expectations of the ministers are found fallacious, whether these exchequer bills may not arrive at such a discount as to render it absolutely necessary for us to have recourse to a loan of such an enormous magnitude as cannot be obtained without the most mischievous sacrifices. Is this a moment to regard such trifling expedients when we have it in our power to apply not palliatives, but effectual remedies. The time is come when we must take the sinking fund and apply it to our immediate necessities. Every nerve, I grant, should be strained to maintain public credit and support the funds. In happier or better times I should be glad to proceed with the liquidation of the debt, but such are the difficulties of the moment they must be provided for. Happy, indeed, should I be for one, if, with the most scrupulous and honest discharge of our duty, we shall be able to cut down our expenditure so as to bring it within our revenue. Seriously is it to be regretted a year has been lost. If again we should be persuaded to be satisfied with expedients instead of the adoption of means for a radical cure, the case of the country would be desperate. It behoves us not to confine our views to the present moment but to posterity—to consider the future and not to be gulled as the House has been with being told, sufficient to the day is the evil thereto belonging. If you wish to reanimate the exertions of the country you must have recourse to some measure that will afford relief to the landed interest. Their difficulties are hourly increasing; I foresaw it in the last year, and strongly urged the necessity of a loan to the proprietor and farmer. By aiding them you will take the most effectual means of relieving the manufacturing interest and reviving the industry of the kingdom. Sir, if we go thoroughly into the examination of the state of the empire, it will be found that we are not suffering so much from our foreign relations as from the decline of the home market. Our exports,

though they suffer greatly from the state of Europe, are not so much below the average of other years. The monstrous and alarming defalcation is in the home market, and, without you aid the land, and that instantaneously, the evil will increase. It is not, Sir, a gross and palpable deception to proclaim to the country that its resources are unimpaired? Is this ignorance or design? Is our landed revenue not decreased? Are the earnings of labour not fearfully and lamentably depreciated? Is the reduction of land and houses less than 15,000,000%; and in wages to the enormous amount of 20,000,000%; making a deficit of 35,000,000%! These truths cannot be unknown to ministers, at least they ought not. Here then, Mr. Speaker, is the melancholy cause of the sufferings of our manufactures. We may fairly conclude that 4th a head lost to the working people of England, which was most probably expended heretofore in various articles of our manufacture. Can it then be said, with any regard to truth, that our resources are unimpaired? Where is the likelihood of this enormous defalcation being recovered? Sir, I do not urge these things hostilely to ministers, or wish to augment their difficulties; I am sensible they are great, and feel it the imperious duty of every one to give them support if their measures be such as the times and exigence of the country require. I, for one, am disposed to lay out of my recollection all causes of past difference; the magnitude of the danger that surrounds us, banishes every other consideration. We are in the state of a vessel which has sprung a leak; however the crew may have differed on the propriety of the course under which they have proceeded, it is no time for further discussion, union and action can alone save the approvers or opposers, every hand must be actively at the pump. So I feel and shall act. To induce the country to bear patiently many of the taxes which press grievously on its commerce and agriculture, we must prove the absolute necessity of them. This alone can justify us or conciliate them. Sir, we are naturally led to consider the speech from the throne as a display of the great and leading features of the policy of the empire. The people look for wisdom and an enlightened and statesmen-like view of the situation of the country. What shall we say then to the notice that is bestowed on the private contributions for the relief of the people? Is this a theme for consola-

tion? No, Sir, however honourable to individuals, it is a cause for deep regret and most serious alarm. Is the amount of them two hundred thousand pounds, liberal I grant and highly praise worthy to individuals, but, as a remedy, it is but as a drop of water compared with the ocean. Are you aware of the magnitude of the machine? Would the sum subscribed pay six hours labour of the people of England? No! reduced even as the price of labour unfortunately is, it still amounts to one hundred and fifty millions per annum. Is this doubted? I will prove it to the satisfaction of every member in the House. By the return in the population act, two millions and a half of persons are shown to be occupied in agriculture, and three in manufacture and commerce; now taking the average of wages to be twelve shillings a week, or thirty pounds per annum a head, and making the calculation only five millions it amounts to the sum I have stated above. I do accuse ministers of either not seeing, or not feeling the deplorable state of the country. Starving as the people were, inadequate as they ought to have known private charity was to the object it humanely aimed at consoling, they ought to have called parliament together to have deliberated on the means most likely to renovate the energies of the country. Sir, you can only stop the growing and enormous evil by inspiring the means of activity in the country. It is the most alarming feature on the whole catalogue of national grievances—it is the most dreadful as it implies such wide and extended suffering. Its causes are doubtless complicated, and, in part, not to be imputed as blame to any one. A defective harvest has advanced the necessaries of life to an enormous price without enriching the grower. The crop will ill remunerate the farmer whilst it is so grievous to the people.

My objections to the speech are not confined alone to the erroneous view of our finance; I look with the deepest regret at the attempt at creating alarm and division in the country—to renew those apprehensions which on a former occasion rendered the people of England so blind to their real dangers, that the dread of jacobinism shut the eyes of the nation on the prodigal, ruinous, and corrupt expenditure of the public treasure. With their attention rivetted to an imaginary danger, they were insensible of the ruin that infallibly was coming upon them. To the warnings which were given them they

closed their ears. What has occurred to sanction the belief that the country is disloyal, and the people ready and ripe for a revolution? Are the people of England to be judged by a Spa-Fields mob, composed of the scum and filth of this metropolis? Can a grosser libel or a more unmerited insult, be offered to the people?—Sir, the country execrates those wretches: no punishment can meet their crime. They have stopped the voice of the people, and given an opportunity for artful men to affright the timorous. They have been the powerful allies of corruption. Had this not occurred, we should have had petitions from every quarter: we should have seen the people with leaders at their head, to whom no objections could have been offered. We should not have witnessed a very general endeavour to stop the exercise of that most important branch of the constitution—the right of the people petitioning this House. Where, Sir, springs our power but by our union with the people? What are we without their sanction and confidence? Light without it, should we be in the scale when opposed to the other branches of the constitution. The more we are blended with the people, the more able are we to discharge our high and important functions.—Sir, I lament to hear it held out that the constitution can be endangered by a few desperate and contemptible demagogues. Very different indeed must be the constitution of England to what I consider it, if such men can render the country insensible to the many blessings we enjoy under it. I am not insensible to the inroads that time has made on the glorious fabric; but with all its faults, it affords a degree of personal security that no other government ever possessed. The people think so, and those who are the natural leaders of the people have only to keep their stations and not to desert them, and they will look with the contempt due to those who would (if such there be), inculcate the doctrine of the people, having nothing to lose by an overthrow of the constitution. Your notice, your opposition, may give to certain individuals a momentary consequence that belongs not to them: when left to themselves they will sink into the insignificance and contempt they merit. I believe the desire of the country from one end to the other is for parliamentary reform. Have they not high authorities to justify such a wish? Mr. Pitt will, by the gentlemen opposite,

be considered as such. What said he at the conclusion of the American war?—“That the nation could not hope for indemnity for the past or security for the future, but through the means of parliamentary reform.” Sir, is the authority of parliament itself no sanction for the people requiring a temperate rational reform, such as would not hazard overturning the constitution, but the renovating and restoring of it. Sir, on a flagrant example of the scandalous traffic of seats in this House I had the honour of bringing in a bill for its correction; I adhered to that bill when every tittle of its contents, that could have effected its purpose, was extracted. And why did I do so? because the preamble declared the practice. The scandalous evasion of defeating a remedy proposed will be an eternal disgrace to that parliament, and its recognition of the practice of abuses whereon some future efficient measure may be built. What, Sir, is the conduct of the people at this moment? It has been my lot, Sir, through a pretty long life, to be closely and intimately connected with the working classes of the people of England—I have always loved and admired them. From the various and constant opportunities I have had of being acquainted with their character, I have found the bulk of the people are eminently distinguished by being moral, intelligent, and industrious. Of late years extended education has doubtless augmented these qualities. Gross must be the ignorance of those who suppose them incapable of forming a correct opinion on their own and the country's interest. Yes, Sir, one eminent proof they give of this in the exemplary patience with which they are suffering privations that have no parallel. Has riot or disturbance, turbulence or impatient complaints, been heard? No, Sir, they have, with a fortitude and Christian-like submission, submitted to those hardships which Providence had thought proper to inflict. It is impossible to view the people without feelings of the highest respect and veneration. Look to the manufactures and operative weavers: their lot is more deplorable than that of the agricultural labourer. With increased hours of work and wages diminished two thirds they struggle manfully to combat hunger and privation. Seven shillings a week, and from that to ten shillings, is as much as thousands of families can obtain. Never did the character of the English people appear so great as

at this moment. Active courage bears no proportion to that which procrastinated sufferings call forth, where every feeling of affection and paternal tenderness is hourly put to the test. Such then is the conduct of the country, and yet we are told every precautionary measure of force is provided when there has scarce occurred one instance of an infraction of the public peace. There is danger, I grant, Sir, first in this House's neglecting its duty, next in drawing a line of demarcation between the one rank of society and the other. Confide in the people and do them justice, and the country is safe. The weight of property and right conduct will ever have its influence when freely left to its own operation.

Sir, I cannot sit down without expressing my execration of the base and disgraceful attack on his royal highness the Prince Regent. I hope this will be traced to its source, and found imputable only to some desperate and despicable individuals, not even sanctioned by any considerable portion of the mob. Sir, the people of England revere and love the crown—their attachment is not founded on the temporary popularity of the possessor. Every man who has the least knowledge of the constitution feels, that the exercise of the royal functions are for his advantage. Sir, I did fondly hope to have heard from his Royal Highness, an intention to share with the people of England in their sufferings, by the sacrifice of a portion of the splendour of the throne. In the prosperity of the country the splendour of their Prince was the pride of the people. In the hour of adversity so universally felt, they are consoled to see those more elevated sharing their sorrows or participating in their sufferings. Here, Sir, I cannot but impute considerable blame to ministers, that they did not point out to their royal master the gratification and solace such a measure would have produced in the nation. The amount of such a sacrifice would have done but little to relieve the nation's distress, but it would have powerfully called forth the affection and love of the people. Are not these the real splendours of the throne? and would they not have amply compensated for any paltry sacrifice of tinsel and show.

Sir, I again repeat I am not disposed to give any vexatious opposition to ministers. If their conduct will justify it, I am more ready to praise than blame them. My future duty will be scrupulously to attend

to the expenditure, and I will not give my consent that one shilling shall be disbursed for any object which is not immediately connected with the welfare and prosperity of the empire, and the happiness of the people.

Mr. *Bankes* said, that as far as he could learn the object of the hon. gentleman who had last spoken, his objection to the speech and the address, seemed to be that they contained false representations of the state of the country, and tended to spread delusion among the people. If that charge could be made out, it was indeed a gross fault; but the hon. gentleman had, he thought, failed in substantiating his assertion. Was it, he would ask, useful to represent what was calamitous in the most desponding colours? for that was the course taken by the supporters of the amendment. The address stated the facts simply as they were: it stated also that the undeniable evils were of a temporary nature. The amendment stated the same facts, but gave no such consolation. The fault of ministers therefore was, that they hoped too well of the country. This was "the head and front of their offending." The statement of the ministers in the last year had been referred to. At the opening of the session they certainly did give a statement of the condition of the country very different from that which he conceived to be the real state of it. They had, however, supported themselves by the accounts of the exports and of the revenue at that time. Subsequent events had changed the aspect of the country. Much of this change was, in his opinion, to be attributed to the seasons. On this ground, no charge could be brought against ministers. The topics in the amendment were, he acknowledged, exceedingly proper, but the same topics were to be found in the address. The deficiency of the revenue was a main point of the amendment; but this was also to be found in the address. When this fact was alluded to, it was naturally to be expected that an inquiry should be instituted. This was accordingly agreed to on both sides; but it appeared the mover of the amendment would not be satisfied with a committee on the expenditure and revenue, but would have a committee on the state of the nation. In the consideration of the state of the nation the principal ingredients were, income and expenditure; there might be other points, but as to them the House was uninformed and un-

learned. The colonial establishments were to be inquired into, it was said; but when this was sifted, it appeared that this inquiry also was to be directed to this point—what the expenses of those establishments were, and what could be saved. The amendment might have been framed before its framer was acquainted with the nature of the speech or the address, but would they cling to it now? It might be intended, by an early division, to see with which side of the House members would hereafter vote [Hear, hear! from the Opposition side], but he saw nothing in it likely to do good. As to the committee of which notice had been given on both sides of the House, whoever had the proposal or formation of it, he hoped it would be composed of men who would most assiduously attend to the business of the country. He did not wish to exclude official men, but many of them should not be admitted. He trusted also that the committee itself would not be too numerous, as he had often seen those bodies encumbered by their own numbers. He denied that the address contained any thing which reflected on the temper or loyalty of the people in general: no such reflection could have been borne; but it was not to be denied that there were disaffected spirits working abroad, who strove to convert to their own mischievous ends the calamities with which it had pleased Providence to afflict us. Were they not to be suppressed? Was there not something bad and cancerous in the community, which, if it could not otherwise be got rid of, should be cut off from the sound part? The present depression was not unprecedented or unaccountable. After the American war the same distress had taken place, but it had been matter of surprise how soon the country had risen from its difficulties. It had been now stated as a kind of discovery, that the debt had been productive of evil. Had this ever been denied? Had it not always been considered as a great and growing evil? Had it not always been increased, not from choice, but by necessity, during the long continuance of the war in which the House had been urged on by public opinion? But it was not only to the debt that we should attribute our present pressure. It was to be remembered, that in the last years of the war the debt was great and increasing, but it had not been felt, as other causes had checked it. Now the debt was the

same, but the counteracting causes were absent—among others the monopoly of commerce. The right hon. mover of the amendment had stated, as another novelty, there was no sinking fund, while that fund had been rapidly redeeming the debt. He had also stated, that the revenue did not meet the expenditure. This unfortunately was nothing new; they never had balanced one another during the war, nor would they be feared, for years. To cause them gradually to approximate should be the great object of the efforts of parliament, and in the mean time they should attempt to supply the deficiency by means the least oppressive to the community. It was some consolation at least that the burthens of the people were not to be increased. To take off taxes it was found was not always a relief. In the last year seventeen millions had been taken off, but our state was not at all improved. From this he thought it was clear that it was neither the debt nor the taxes under which we now laboured. He had never been disposed to undervalue the evils of profusion, and in the last session he had been willing to go as far as any one in the reduction of that part of our establishments in which he had thought economy most practicable. In attempts to reduce sinecures he had been unremitting: not that he had ever propagated the idea that the saving would be great, but the example was great, and the principle was great. On the army in the last year one million and a half or two millions might possibly have been saved, which on the general scale of our expenditure and debt was not much. In the progress to an equalization of the income and expenditure the last year had been lost, but there was no reason on that account that this good work should not now be entered upon. On this subject, as all parties were unanimous, the amendment he thought was superfluous.

Mr. *Brougham* said, that he rose to solicit the attention of the House under the influence of the very sentiment with expressing which the hon. gentleman had just concluded his speech; as feeling how absolutely necessary it was to prevent delusions from going forth to the country in the present critical emergency of its affairs: for he would venture to say, that a speech more calculated, though possibly not intended to mislead the people of England—more replete with every species of deception—more vain and illusory in the

hopes it held out, had never been heard to proceed even from the most sanguine occupants of the ministerial bench [Hear hear!]. But coming as it did from neutral ground, from a quarter that naturally excited much curiosity, because it rarely sent forth two opinions on the same side of any question, and still more rarely sentiments and votes that tallied together [a laugh], backed with the credit derived from the hon. gentleman's talents, and his varied political experience [a laugh]; and still more supported by his habitual and large professions of strict impartiality, exemplified by occasional opposition to government, in matters where such resistance was of no moment; it required an antidote contemporaneous with the mischief, to prevent the evil which it pretended to deprecate—the misleading of the people as to their real situation. The hon. gentleman had contended, that the existing distresses were temporary, and that they were only such as might be expected upon the termination of a long war; and in proof of this, he referred to former instances, but especially to what took place after the American war. Upon this he and they who dealt in the same delusions principally relied; and it was fit to expose the prevailing fallacy by at once going to the facts.

It was contended, that the distresses now so universally spread over the country, resembled that which followed the transition (as was the fashionable phrase), from war to peace in 1783. That considerable inconvenience had been felt then, there could be no doubt; a pretty general depreciation of property took place; and land fell below twenty years purchase, and in some places even as low as seventeen. The pressure indeed was chiefly upon the agricultural interests. But let the history of the two periods be examined a little more closely, and it would be found that they were not only perfectly different, but even in absolute contrast, as to almost every important particular. In the first place, the distress at the former period began, not after the close of the American war, but during its continuance; at its termination they had reached their height; and, far from being augmented, they were gradually relieved by the peace; so that in the third year of that peace, the period parallel to the present, Mr. Pitt deemed himself fully authorized in putting into the sovereign's mouth these consolatory expressions: "that his majesty heartily con-

gratulated the country upon the extension of its commerce, the flourishing state of its manufactures, and the increased and increasing amount of its revenues" [Hear, hear!]. Who could employ such language now? Even the ministers who had presumed last year to fill the speech from the throne with false representations of our commercial prosperity, dared not repeat one syllable of these vain felicitations.—On the contrary (and it was one most portentous difference between the conclusion of this, and of all former contests), our calamities had almost entirely begun with the peace; each succeeding year since the war ended, only made things worse; the distress, at first confined principally to our agriculture, had spread to every branch of our trade and industry, and the national misery had reached a height wholly without precedent in our history since the Norman Conquest.

Again, he would ask the House to recollect what Mr. Pitt's financial operations were after the American war, in order to judge how little the two cases resembled each other. Instead of taking off above seventeen millions of taxes, as we had been compelled to do, he found the nation able to bear new ones; and he laid on in two years, without difficulty, more additional burthens than the country had ever been called upon to bear during the same period of the war? The new taxes exceeded two millions, the utmost amount of new taxes in any one year of the war having been little more than 800,000*l*. Can the right hon. gentleman find the means of laying on new taxes now? [Hear, hear!] Can he raise, not millions or thousands, but one silver penny by way of new impost? We were indeed congratulated in the speech from the throne, that no new burthens would be necessary this year; a mighty topic of consolation, truly, and the more so because we had abundant security that this promise at least would be kept. No new taxes would be found necessary, it seems; there was another word more expressive of the fact, they should have said, practicable. The right hon. gentlemen opposite must now have ascertained pretty clearly the truth of this position; they must have found that to raise the taxes by a farthing was beyond their power. They might indulge in any other speculations; they might amuse themselves with all sorts of plans at home, and abroad; they might disport themselves in fancies for keeping up estab-

ishments, arraying and marching troops, inventing and changing dresses; they might form what projects they pleased of foreign alliances, cessions of territory, occupation of neighbouring dominions; they might wander in imagination half the world over, from England to Europe, from Europe to the colonies: there was one spot upon which they never more could hope to tread—and that spot, henceforth sacred from the chancellor of the exchequer's foot, was taxation. The people had paid to their utmost farthing, and must be taxed no more [Hear, hear, hear!] As far back as 1809, they had perceived that we were approaching to this point; it had then become apparent that no new duties could be levied without occasioning a proportional defalcation in some of the old.—Mr. Perceval, who was abundantly anxious to raise as much as possible of the supplies within the year, after the example of Mr. Pitt (a wholesome example, a branch of Mr. Pitt's policy, to which no objection could be urged, except that it was adopted too late, for if earlier practised, it would infallibly have shortened the war), Mr. Perceval nevertheless found himself compelled to abandon all new taxation; and his financial administration was after 1808 a mere succession of shifts and expedients, like that of the right hon. gentleman opposite; sometimes exchequer bills, sometimes traffic with the bank, sometimes sinking fund, but always in one shape or another, loans—because it was discovered that the uttermost limits of taxation had been reached.—One word more as to the difference between the two wars. The whole amount of new taxes from 1775 to 1783 did not exceed 4 millions; there never was more money raised than sufficed to pay the interest of the loans contracted, the whole expense of the war being defrayed by borrowed money. In the last war, on the contrary, 35 millions of new permanent taxes had been imposed, besides war taxes, which, in the latter years of the contest, amounted to 23 or 24 millions. To such unprecedented burthens had the country been doomed at the commencement of this peace, and after such an unprecedented exhaustion during the war! What a fearful contrast, then, did the present afford to all former transitions from war to peace! And was not he guilty of propagating a gross delusion, who told the people that their burthens were nothing more than they had at former times sustained, and their dis-

tresses only such as they had once and again survived? The hon. gentleman (Mr. Bankes) was likely to be much in favour with the committee, which no doubt the minister would propose to appoint, and against which he protested thus early, as he was convinced it would only prove a fresh instrument of delusion: they had only to select their old tried friends for the service, with the hon. gentleman in the chair; to give them masses of accounts containing little information, and send a few witnesses who gave less; and towards the end of the session a report would come, when there was no time either to debate or decide. But it was the duty of the House to proceed with dispatch; for while it was delaying, the nation was suffering. It was easy to see how the committee would be formed, if the House did not take care that individuals should be placed upon it who were not merely the tools of government, but men who were known and esteemed for their honest, uncompromising, unflinching discharge of the duties cast upon them as representatives of the people: men of upright and straight forward integrity; and not those, who, under pretences of silly delicacy, were pursuing a system of shifting policy, and, under the semblance of impartiality, were employed in throwing in the way of justice artful and advocate like objections. [Hear, hear!] In order, at all events, to prevent procrastination, and that the whole substance of the report might not be smothered in a mass of unimportant papers, he should suggest, that a peremptory order be given to the committee, that on the very day when they had come to a decision upon one point, it should be reported to the House for their consideration. A committee so constituted and acting under such instructions, might be productive of real benefit; it would be a most efficacious engine of inquiry; and for this reason he had but little hope of seeing it proposed by government, or adopted by them, unless the House forced it upon them [Hear, hear!].

There was one topic which, in the present state of our trade, he had expected to see touched upon in the Speech from the throne, and he was much disappointed at finding it wholly omitted: some matters were mentioned of great importance, in a summary way; and others of very inferior moment were treated at great length, and with no little parade; but not one word was said of any arrangements with foreign

powers for the promotion of our commercial interests, which were quite in as labouring a state as our agricultural concerns. It seemed as if these things were below the notice of so military and political an administration as we now possessed. Yet at no former time was our influence abroad so great; never had we possessed higher authority, until indeed we chose to sacrifice it to paltry considerations; never had we so much direct power, not only by alliances, but by actual military force, as we now possessed. Nor were we slow to use it for other purposes. If a territory was to be occupied contrary to the wishes of its inhabitants, and to our own true interests,—if a new government was to be forced upon a people against their will, a dethroned dynasty restored in despite of those who had a right to resist it,—there was no want of our active interference: armies were sent, subsidies lavished, and fully appointed missions dispatched [Hear, hear!]. But an arrangement substantially to benefit the country; to revive its sinking commerce, to cherish its drooping manufactures, was disregarded as beneath the notice of a great nation.—Had the markets of the continent been opened by the peace? On the contrary, were they not more closely shut against us then ever? The continental system which Buonaparté had projected without the power to complete it, and which our own ridiculous policy had enabled him for a season greatly to improve, had now been carried into effect by the Bourbons and our other allies—with this important addition, that their measures had the full consent of the people, which Buonaparté's never had obtained [Hear, hear!]. In the absence of the noble lord at the head of that department, he must abstain for the present from entering further on the mismanagement of our foreign affairs.

One of the hon. gentlemen who supported the address, had frequently introduced into his speech the pleasing term 'retrenchment,' but without anything specific to show us how far and in what manner it was to be carried into effect; while another on the same side (Mr. Grant), in a speech where the common place of argument vied with the common place of rhetoric, had denied that any considerable portion of our enormous establishment could be spared. We heard of an increased empire requiring an enlarged force,—of our military resources keeping pace with our territorial aggrandisement,—of ex-

tended colonies demanding an augmented army,—and all the other set phrases so readily poured forth from all parts of the opposite bench as often as there was any measure to be carried alike costly and unconstitutional, any policy to be recommended, that began in expense and tended towards patronage [Hear, hear!]. The increase of our colonial empire, as it was called, far from being the justification of a standing army that exhausted our resources while it endangered our liberties, was an aggravation of the charge against it; because it was an increase of the very same evils which that standing army produced. Every new settlement that was acquired, occasioned additional expense, and bestowed fresh patronage, while, in a commercial view, the accession only injured the interests of our former planters. Yet on we went, each successive war occupying a boundless extent of sugar islands, hurtful to our old colonies, and barren rocks of high military importance, frequently to the serious detriment of our general policy in the contest; and each successive peace saddled our finances and our constitution with the permanent burthen of some part of the dominion thus unwisely seized during hostilities. Not content with having Gibraltar before the treaty of Amiens, we must needs by that peace (which some called a truce), get Malta, in order that the truce might speedily be broken. And now we add to it the expense and the patronage of the Ionian Islands: as if all India had not sufficed with the Cape of Good Hope, we grasp for it at Ceylon, and then at the Isle of France: and after gaining by the peace of 1802 Trinidad and Tobago, to the considerable detriment of Jamaica and Barbadoes, we have by the last treaty got the permanent burthen of St. Lucia, and most of the Dutch colonies, to injure our old settlements still more systematically, and to benefit a few favoured individuals in Liverpool. So much for the reasons urged against reducing the establishment. This accession of territory was an evil in itself, even if it were not the parent of a still worse mischief, the increase of the army. It was, however, for parliament at length to teach the government, that if the new settlements could not support their own expenses, and provide for their own defence, they must be abandoned. Nor would it be difficult to find those who might be thankful to take them, and in return to grant our com-

merce such advantages as might far more than compensate for a much greater surrender.

After enlarging on this topic at some length, Mr. Brougham expressed his high satisfaction at the part of the speech in which the people of England had been vindicated from the foul aspersion launched so heedlessly against them, of being implicated in the acts of violence perpetrated by a few misguided individuals. But he had heard with extreme indignation the sentiments uttered by an hon. member, early in the debate (Mr. Dawson), that it was improper to assemble the people at public meetings for the discussion of subjects above their comprehension; a sentiment the more dangerous because it was applauded by the side on which the hon. gentleman sat. It was now for the first time, that such language had ever been heard within those walls; he trusted it would be the last time he should ever hear it said, that the discussion of their rights, and the statement of their grievances, were above the comprehension of a free enlightened people [Hear, hear!]. And from whom did such alarming doctrines proceed? From whom but the very wholesale dealers in popular clamour, the great artists of outcry and delusion; the men who, on every occasion, were the most ready to make appeals to the basest passions of the mob, for the worst of purposes? [Hear, hear!] From whom, but from those who in 1784 had canted to the multitude about chartered rights, and in 1807 had made them parties to a theological controversy? [Hear, hear!] Those were they who now dared to tell the people that their sufferings were above their comprehension, who had yet assisted Mr. Pitt in giving the constitution its first stab, and backed Mr. Perceval in following up the blow; conceiving, truly, that though the householders of England cannot understand the state of their affairs, the questions of the East India monopoly and the catholic claims are subjects quite level to the capacity of the rabble [loud cheering]. He did trust that the House would mark such attempts with becoming reprobation, unless indeed they seemed so eminently absurd as to merit only their silent contempt. For himself, he was the decided enemy of every species of delusion, both within doors and without; he was a friend of parliamentary reform, though he was far from expecting that it would prove a *panacea* for all our complaints. In our

enormous debt, the intolerable load of taxation which it rendered necessary, and the worse than useless amount of our establishment, he beheld the principal cause of the misfortunes under which the country struggled. From the honest exertions of parliament, encouraged by the quiet and firm demeanour of the people, he expected much to remedy those evils. It was our bounden duty to reduce our expenditure to the lowest farthing, and about that he trusted we should instantly set at work, always remembering that in the best view which could be taken of our affairs we had no alternative but bankruptcy or retrenchment, and at all events resolved that we should not resort to the one, until we had made the fullest trial of the other. [On sitting down the hon. and learned member was loudly and repeatedly cheered from all parts of the House.]

Mr. Canning spoke as follows:—In addressing myself to you, Sir, and to the House, I must begin by claiming, for myself and my colleagues, to be considered as not less sensibly alive, than any of those gentlemen who have taken part in this debate, to the distresses, and I must be allowed to add, to the perils of the country. The importance of the crisis at which parliament is now assembled, has been much dwelt upon by the hon. and learned gentleman who spoke last. Sir, I concur with the hon. and learned gentleman in his estimate of that importance. That which, in many instances, has been little more than an ordinary form of speech, is now correctly and literally true. We have seen within the last few years, many important conjunctures in our national affairs: important was the crisis when parliament determined, at the commencement of the late war, to arm the nation against foreign hostility and domestic treason; important was the crisis, when, after having won our way through a struggle of unexampled exertion and perseverance, we were suddenly called upon to make a new and unparalleled effort to preserve the prize and reward of our past achievements; which was about to be wrested from our hands;—but not less important, certainly, in the present crisis of domestic difficulty and danger, is the result of this night's deliberations, by which will be decided, whether we shall or shall not carry to the foot of the throne, an unanimous expression of our determination to stand by it and by the country.

What is it, then, that so inopportune?

interferes to prevent this most desirable unanimity? Doubtless there must be something in the proposed address, which the gentlemen on the other side of the House cannot adopt, without abandoning some principle by which their consciences are bound, or forfeiting some pledge which they have given to their constituents. Were it otherwise,—in the present distracted state of the country, when unanimity is of so much importance, and when the appearance of a division in this House may be misconstrued out of doors for so much more than is really meant by it,—gentlemen would unquestionably be most anxious to unite in a vote of unqualified affection and loyalty to the crown. But what is the sense of duty that stands in the way of this concurrence? What is the mighty difference between the address and the proposed amendment? It is this: that the address, echoing the recommendation in the speech from the throne, promises to institute an inquiry into the income and expenditure of the country, with a view to every purpose of rational economy and practicable retrenchment; while the hon. gentlemen opposite think it better that the proposed committee should be called a committee on the state of the nation! They are willing to concur with us in every other part of the address; they concur with us in the principle and expediency of a prompt inquiry; but they differ from us in the name (for it is really nothing else) of the committee to which it will be proposed to refer that inquiry: and for this trifling difference, the peace of the kingdom is to be exposed to the hazards which may arise from a misconstruction of this night's division.

The hon. and learned gentleman opposite has expressed the indignation (that, I believe, was the word) with which he heard the speech of my hon. friend (Mr. Banks); a speech which even the most fastidious critic might surely applaud as fair and impartial. My hon. friend is well known for the independent manner in which his speeches and his votes are directed, sometimes to this, and sometimes to that side of the House; a manner the most conformable to the theory of a perfect member of parliament. But how little are those who clamour most loudly for independence, satisfied with the exercise of it when it happens to make against themselves! When my hon. friend's vote happens to be with gentlemen on the opposite side of the House,

then his opinions are conclusive, and his authority an infallible guide; but when his sentiments concur with those held on this side of the House, he is stigmatised as a man who does not dare to act upon his own views; as equally corrupt and servile with those who have actually enlisted themselves under the banners of the ministry. I, Sir, have frequently had the misfortune to differ from my hon. friend, but I have never felt myself at liberty to call in question the independency of his opinions.

The hon. gentlemen opposite, assume to themselves the exclusive merit of sympathizing with the sufferings of their fellow subjects,—to which the government, forsooth, are callous and insensible! But, Sir, I will tell those hon. gentlemen, that his majesty's ministers have as deep a sense of the difficulties under which the several classes of the community labour, as any set of men, who aim at popularity by encouraging the complaints of the sufferers, and by dwelling with emphasis upon the severity of their distress. Perhaps, Sir, our sense of those difficulties is deeper and more afflicting,—in proportion as a more intimate knowledge of them is pressed from all quarters upon our attention; and as it is our duty, and God knows! our wish, to find, if possible, the means of alleviating them. I do not hesitate to declare my opinion, that many of the causes of the present distresses are far beyond the reach of immediate remedy, as they are beyond the limits of human controul. Most anxiously and laboriously have ministers devoted themselves to the consideration of the agricultural part of those distresses,—the relief of which, in the first instance, would undoubtedly be the source of gradual and diffusive amelioration to other classes of the community. Plans of such relief have been suggested, have been investigated with the most patient anxiety, and have been referred to the opinion of men best able to judge practically of their possible execution. But, unhappily, those inquiries have led to no satisfactory result. I appeal with confidence to an hon. and learned gentleman opposite (Mr. Preston) than whom no man is better qualified to form an opinion upon this question—whether the difficulties, which impede the extension of public aid to the landed interest, have not been found, upon thorough discussion, to be altogether insuperable? I have said, found to be so;—because at the first view, a

hope was cherished,—a hope springing from the desire,—that some practicable mode of relief might be devised. Yet, though these difficulties have hitherto been found insuperable, that circumstance will not preclude the application to them of any remedies which may hereafter be suggested, and which shall be deemed, upon examination, at once unobjectionable in principle, and likely to be practically beneficial.

The poor laws have been particularly referred to, as requiring immediate consideration. Undoubtedly they do so. And I did entertain a hope, when the hon. gentleman who opened the debate (Mr. Curwen) to night addressed himself to the House, that he was about to announce his determination to propose, that the committee of last year, on that subject, should resume its labours. I trust that those labours will be resumed, and pursued with diligence. They furnish of themselves, sufficient occupation for one committee, and could not be mixed conveniently with the matters, to be referred to either of the committees proposed this night,—whether to that on income and expenditure, or to one on the state of the nation.

The hon. and learned gentleman has qualified, to a certain degree, an assertion made last night by the right hon. mover of the amendment, that taxation is the sole cause of the distresses of the country. I confess, Sir, that I did expect from that hon. and learned gentleman such a qualification; for I have very recently read an able and eloquent pamphlet*, (in this place I am not at liberty to describe it by any other name), published in the name of that hon. and learned gentleman seven or eight months ago, which enumerates no less than about thirteen distinct causes of the existing calamities, of which taxation is only one. In many of the statements and opinions of the learned and able writer I entirely concur;—particularly in the belief which he professes, that many, perhaps most, of these causes, are of a temporary nature. I agree with him also, that one of the most operative causes of the stagnation of trade and manufactures, has been the withdrawing of government, as a customer, from the market, both of labour and commodities. This undoubtedly is a correct view of the subject.

And what is this, in other words, but that very "transition from war to peace," so justly asserted, and so rashly denied, to be of itself no insufficient solution of the main difficulties and derangements of the time? But I find in the same publication another passage, so singularly at variance with a declaration which I have heard from the hon. and learned gentleman this night, that I cannot forbear quoting the words of the pamphlet. The House has heard the hon. and learned gentleman declare his astonishment, as well as his regret, at the progress of our affairs "from bad to worse," since the last discussions in parliament upon the subject. But what said the pamphlet? What was said for the hon. and learned gentleman in print seven or eight months ago? "Nor should I be at all surprised," said the pamphlet, "if things should grow worse before they grow better." Although, therefore, I can easily believe in the regret of the hon. and learned gentleman at the present state of things, it is difficult to account for the expression of his astonishment. If the hon. and learned gentleman was prepared for such a deterioration in the state of affairs last summer, surely the calamity which has since fallen upon us, in the badness of the harvest could not but prepare him still farther for a result which he, nevertheless, seems disposed to represent as so extraordinarily and unexpectedly disastrous.

But, participating as we do in the regret which is felt at the distresses and sufferings of the people, and willing as we are to admit that a strict and rational economy, though it cannot immediately cure, may nevertheless contribute towards relieving them,—what steps have the government taken in pursuance of this admission?—what burthens have we lightened?—what retrenchments have we made? This, Sir, is not the fit occasion for entering into details: but thus much I will say, without anticipating the official statements which will very shortly be submitted to the House, that in the reductions which have been made in the military establishments of the country, one principle of limitation only has been kept in view,—safety. Men undoubtedly may differ in their application of this principle; and it will be for the House to decide, when the details are brought before them, whether it has been properly applied or not to the various stations and services where our military force is distri-

* Mr. Brougham's Speech on Agricultural Distress, 9th April, 1816; see Vol. 33 p. 1086.

buted. With respect to our foreign possessions, the estimate is plain: colonies have their price: and when you risk their loss, by depriving them of a force sufficient for defending them, you know what you risk: the amount of that risk is capable of valuation. But the safety of the kingdom itself has no price: it is inestimable: it must be guarded against all hazards, by all exertions [Hear, hear!]. This, then, is the principle on which the government are prepared to propose the military and naval estimates, and by which they desire to be judged, when those establishments shall come into discussion. Having carried reduction as far as, consistently with this principle, they have thought practicable, it is, nevertheless, their intention to propose to vote those estimates for a limited period only, so as that they shall be liable to revision before the end of the present session of parliament. This, I flatter myself, will show both that a due and sober consideration has been given to the subject of reduction, and that the extent of confidence asked of this House, by the ministers, is not unreasonably large.

I know, Sir, that we are accused of being unwilling reformers; and it is therefore contended, that no confidence whatever should be placed in our professions of economy. Sir, for one, I am not indisposed to allow, that the reductions and dismissals to which we are under the necessity of having recourse, do, in many instances, go against my feelings. An hon. gentleman (Mr. Lamb) who never speaks without making a deep impression by his eloquence and ability, truly observed, last night, that retrenchment is not an unmixed good. Such a process necessarily throws upon the world many meritorious and helpless individuals, who are added to the numbers of the distressed, and augment the mass of discontent throughout the country. In truth, those whose duty does not immediately call them to attend to the detailed application of the principles which we are all agreed in recommending, can have but a faint notion of the scenes of sorrow and suffering, which result from those very operations by which the public pressure is ultimately to be relieved. How many among the families of that middle class, which is generally, and truly, represented as peculiarly oppressed by the difficulties of the times, and in whose behalf, the diminution of public expenditure is particu-

larly called for; how many of those very families find their own particular difficulties sensibly aggravated, by the sudden throwing upon their hands of a brother, or a son, who had hitherto gained his own livelihood, and perhaps contributed something to their comfort, by an employment in the military or civil establishments of the country! I state this not as an argument against reduction, but as an excuse for the frank avowal, that in cutting deep, it is impossible not to feel severely. I cannot shut my heart, any more than my eyes and ears, against the cries of individual disappointment, even though the inevitable consequence of measures directed to the general good. To this extent, I own, I am an unwilling reformer. But the necessities of the times admit of no alternative: reduction must take place. And though I allow the truth of an observation (I think of Mr. Burke's), that "envy and malice would carve closer, and make cleaner work," I cannot believe that the House will feel it necessary to take the task of retrenchment out of our hands, merely because we are not guided in the execution of it, by any harsher motives than a sense of public duty [Hear, hear!].

Having thus generally put the House in possession of the principles upon which his majesty's government profess to act, in bringing down the establishments of the country; and referring for the proof and verification of these professions, to the period when the House will have an opportunity of comparing them with what has been actually done, I shall proceed to notice one or two detached arguments which have been urged against the speech and the address, before I touch upon those more important points, which are, in my opinion, entitled to the most serious attention of the House, as affecting most deeply the interests, the happiness, and the permanent welfare of this kingdom. The hon. and learned gentleman who spoke last, has adverted to the close of the American war; and has stated, that the imposition of fresh taxes at the termination of that war, exhibits a striking contrast with the present abstinence from taxation. The statement is correct; but nothing ever surprised me more, than to hear the hon. and learned gentleman draw from that comparison, an inference to the disadvantage of our present situation. "At the end of the American war," says the hon. and learned gentleman, "taxes to a con-

siderable amount were imposed upon the people; now, we could not—we dared not—impose taxes.” What might be done if necessary, it is happily beside our present purpose to inquire. That there exists no necessity, and that there is therefore no intention of imposing taxes, is the fact. Nor is this all. At the close of the American war the permanent revenue was not sufficient to support the permanent charge upon it. New taxes were absolutely necessary to meet that charge, independently of the expenses of our peace establishments. On the contrary, in the first year after the close of the late war, taxes to the amount of nearer one-third than one-fourth of the whole revenue of the country, have been at once remitted to the people—(no matter for this part of the argument, whether by the voluntary proposal of ministers, or from parliamentary compulsion [Hear, hear! from the opposition]—I repeat it, no matter for this part of the argument, how it was effected,—the remission has taken place)—and not only is the permanent charge still amply provided for, but even for our establishments provision is to be made in the second year of peace, without any addition of burthen to the people. There are circumstances of distress enough, God knows! in our situation; but it seems a most perverse ingenuity that can discover in the absence of any necessity for new taxes, a symptom of peculiar and aggravated distress! I admit, Sir, that the situation of the country, and the whole state of its income and expenditure, demand the most anxious investigation; but let this investigation, which has been earnestly recommended from the throne, and which it is the anxious wish of ministers to pursue, with a view to bringing our expenditure within the limits of our actual revenue, be entered upon in a spirit of sober and impartial inquiry, and with a desire to do the best, rather than to prove the worst. In the progress of this investigation, the government, as it willingly calls for the aid, so it humbly but confidently challenges the jealousy, of parliament. We claim support no farther than as we shall redeem the pledge given by the speech to the country.

The hon. and learned gentleman is of opinion, that our distresses might have been much alleviated, if care had been taken, in the negotiation of the peace, to procure stipulations favourable to British commerce;—if our military preponder-

ance had been made subservient to the advantage of our trade. I confess, Sir, I was surprised to hear this opinion stated by a gentleman who looks at subjects of this nature with a statesman's eye. I should rather have expected to hear him disavow and condemn the policy of sacrificing to commercial objects, either national glory in war, or national security in peace. The object of the war was a secure peace. Peace is the parent of commerce. The positive stipulations of the peace were, therefore, wisely directed rather to its permanency than its profits. If the peace be, as I trust it will be, permanent, the prosperity of Europe will revive; and in the revival of general prosperity, can there be a doubt of the revival of that of Great Britain? Is it likely that, with our commanding mercantile navy, with our practised industry, our active enterprise, and accumulated capital, we shall be long behind other nations in reaping the fruits of the peace which we have secured to Europe? There may, naturally enough, have been differences of opinion, such as the hon. and learned gentleman intimates, as to the political settlement at the conclusion of the late triumphant war. It was a matter of great complication, difficulty, and delicacy. We, it must always be borne in mind, were not the sole arbiters of the questions to be decided, and the arrangements to be made. Of one thing, however, I think no doubt can be entertained,—that it would have been most unwise to have hazarded disunion in the great confederacy, for the sake of any exclusive commercial advantage to this country. But the peace, and all its arrangements, have already been fully discussed and solemnly sanctioned by parliament. If our policy has been wise and generous, I have no fear, I confess, for any ultimate danger to our commerce. Already there are indications, faint indeed as yet and unassured, of reviving credit and demand. A little longer suffering,—a little more of endurance, and all may yet be well.

And this, Sir, leads me to those parts of the Speech and of the Address which speak of the noble patience of the great body of the people: a point on which I think it the more necessary to touch, because, from a misapprehension (so I am confident it must be) to me wholly unaccountable, the hon. gentleman who opened the debate to-night, has found great fault with those very parts of the

Speech and the Address, as accusing the people of disloyalty! If ever pains were taken to define any meaning explicitly, to draw distinctions accurately, and to preclude the possibility of misconception, it is in those passages, where the deluders and the deluded are distinguished from each other; where the artifices and instigations of the incendiary are contrasted with the quietness, the resignation, the good sense, and the loyalty of the people. The people at large are warmly praised, but not more warmly than justly, for the fortitude with which they have borne all their privations. But is it not notorious, that of their privations advantage has been taken, to endeavour (happily in vain) to excite throughout the country a general spirit of insurrection? The hon. and learned gentleman has asked, whether those persons who assembled to petition the legislature, are to be considered as guilty of insurrection?—Certainly not;—but for the purpose of petitioning, is a waggon laden with ammunition a necessary basis? Are fire-arms and tricoloured flags the indispensable accompaniments of a resolution in favour of parliamentary reform?—For myself, I can truly say, that I feel as much of compassion for those innocent, but misguided persons, whom their distresses expose to be the dupes and tools of every leader that addresses himself to their wants, their prejudices, and their passions, as I do of indignation against the perverted heads and hard hearts of those demagogues, who, far from sharing or relieving the sufferings in which they pretend to sympathize, retire to their own comfortable homes, from a drenched and starving auditory, after having irritated them to madness, and stimulated them to outrage, by inculcating rebellion as a duty, and proscribing charity as a crime [Hear, hear!]. These, Sir, are the deluders, against whom the Speech denounces a just indignation. These are the proceedings of which the Address calls upon us to express to the throne our detestation and abhorrence;—expressing at the same time our readiness to concur in every necessary measure of redress and retrenchment, that can afford relief to a patient and suffering people.

And for what object are these deluded persons instigated to insurrection, and what is the relief which they are taught to expect from its success? Why, truly, that panacea for all grievances—which is to feed the hungry, to reform the vicious,

to instruct the unenlightened, to diffuse general ease, affluence, and contentment throughout all classes in the community—a “Reform in the Commons House of Parliament!” An hon. baronet has given notice of a motion on this subject, which will of course afford the opportunity for an ample and detailed discussion of it. But as the hon. gentleman who opened this debate, and the hon. and learned gentleman who spoke last, have expressed their opinions in favour of a reform—though with reservations and qualifications which make those opinions more plausible, and therefore more dangerous,—as there is an inquietude in the public mind upon this subject, agitating and painful in the extreme,—and as I think it the duty of every man, standing in such a situation as I have the honour to fill, to be open and explicit with the country upon a matter so nearly touching its tranquillity and welfare,—I seize this opportunity of saying, that whenever the hon. baronet brings forward his project of parliamentary reform, whatever it may be, I shall be ready to meet it—not with any temporizing opposition, not with any reasons of qualified objection or temporary expediency,—I shall be ready to meet the proposal of the remedy with a direct denial of the grievance [Hear, hear!].

I deny the assumption, that the House of Commons, as it stands, is not, to all practical purposes, an adequate representative of the people. I deny that it requires any amendment or alteration, to enable it fitly to discharge the functions which are legitimately its province. I deny that there is any model, either in the theory or in the practice of the constitution, to be traced in any period of our history, or to be found in our customs or our laws, from which model the House of Commons has degenerated, and according to which it requires to be reformed.—I do not deny that theories more splendidly popular may be devised by speculative philosophers, or held up by designing men to inflame the imaginations of the multitude. I admit that, in erecting for the first time in other countries, a system of representative government, other bases might be found more adapted to their wants, habits, and feelings. But I contend, that our system, such as it is, has grown up with our freedom and with our power, and that it satisfies the wants, the opinions, and the feelings of the great bulk and body of the nation.

(K)

When I am told that the House of Commons is not sufficiently identified with the people, to catch their every nascent wish, and to act upon their every transient impression,—that it is not the immediate, passive, unreasoning organ of popular volition,—I answer, thank God that it is not! I answer, that according to no principle of our constitution, was it ever meant to be so;—and that it never pretended to be so, nor ever can pretend to be so, without bringing ruin and misery upon the kingdom. Against all such theories at once I take my stand.—It is not as the mere organ of the people's will, but as the deliberative guardian of their rights and interests, that the House of Commons takes its rank co-ordinate with the other powers of the constitution. Whenever it shall attempt to exchange this its sober and legitimate character, for the wide and wild prerogative which modern politicians claim for it, some new system of government,—some strange variety of untried being—some monstrous growth, planted in inauspicious hour, watered with blood, and thriving amidst desolation, may take the place of the British constitution: but the British constitution will be no more! The name of England may remain:—but it will no longer be that England—the model of rational liberty, the protectress of national independence, venerable in her domestic institutions, powerful in foreign exertion beyond the natural proportions of her physical force,—whose “pigmy body,” animated and o'er-informed by the spirit of her free constitution, was strong enough to deliver Europe from the grasp of the oppressor; and whose greatness and happiness, whose freedom and power, the destruction of that constitution can alone destroy [Hear, hear!].

I know, Sir, that we are told, that within the walls of this House no such preposterous plans are entertained, as those of annual parliaments and universal suffrage. Those obvious and acknowledged means of self destruction, are disclaimed by the reformers in this House. They do not mean to go so far. They mean, and much their meaning signifies! Do they not know, that when they have once set the stone a-rolling, they can no longer control its impetus and direct its course—that it will go on in its career, crushing every thing before it, and in the very earliest stage of its progress, crushing the reformers themselves? Do they hope

that they can guide the whirlwind which they may raise? Or, are they not aware that mightier spirits are abroad, who will take that task out of their hands? Why, indeed do we now first hear this anxious disclaimer of the extravagant doctrines of those whom the hon. and learned gentleman has so mildly characterized as “visionary and fanciful theorists?” Why, but because the moderate reformers already feel, that the “visionary and fanciful” are their masters [Hear, hear]. They have found that their own milk-and-water schemes will be rejected with scorn by those “visionary and fanciful theorists;” and that when they have toiled for their masters to the point at which their own projects of amelioration end, they will be dismissed with contumely from the service.

Can any man believe that the only wish of these persons is, that the House of Commons should do its duty better, remaining in the sphere assigned to it by the constitution? No such thing. Is it not notorious, that there has not been one of the acts of the House of Commons which they have ever been known to approve? that they have never ceased to describe the last twenty years as a period of calamity and disgrace, and the support given by the House of Commons to the war, as in defiance of the sense of the nation? And yet who does not know and feel this charge to be a falsehood and a calumny? Grant even, for the argument's sake, that the war was unnecessarily begun, or that it might have been more ably conducted; still is it not clear, certain and recorded, that the nation was united beyond all former example in the support of the war, from its beginning to its end? that if the House of Commons erred in this respect, it erred with the nation? and that the select few who saw nothing of necessity in the outset of the war, and nothing of glory in its termination; who alone among their countrymen have doubted the justness of our cause, and shut their eyes to the blaze of our victories, cannot impute the war to the House of Commons as a crime, without imputing it also as a crime to the people?

But these men it seems are “visionary and fanciful theorists!” Why, Sir, let us hope that they are no more: let us hope that their whole object is to mould and square the constitution to some ideal model of perfectibility; and that, though (as is the nature of theorists) they would not,

perhaps, suffer any consideration for established institutions, for property, or for life, to stand in the way of their experiments; such hazards are merely incidental to their plan; that their only aim is theoretical perfection. But I confess I have my apprehensions that there is something much more substantial in these theories; that not only this House and the government furnish matter for their fanciful speculations, but that in some of their waking visions, even the solid land presents itself as an object of desire.

I know how easy it is to despise, or to affect to despise, daring and extravagant projects, announced and supported by comparative impotence and imbecility; but I know also, how dangerous it is to do so. France is the standing example of perils too lightly estimated in their beginning, and not resisted until they had grown to a strength which at once alarmed and overpowered resistance. The projects of innovation do not stop with parliaments and governments; the projectors would, in the end, shear property to the quick. This is no conjecture of mine; nor is it merely the day-dream of ignorant and illiterate men. The purpose is avowed: it is detailed and reasoned upon, in a pamphlet which I hold in my hand,* with no contemptible degree of intelligence and dexterity. There is nothing in the style which betrays an absence of literary acquirements. This pamphlet, as I have been informed, has been circulated with astonishing industry through the country. It contains the dogmas of a considerable sect; considerable, I mean, from those circumstances which make sects formidable—its numbers and its enthusiasm. Hear, then, the ingenuous creed of these patriots of the soil! The great and crying evil of the time is, the “usurpation of the land, the gift of God, from the people.” “Landlords,” it is stated, “are the only oppressors of the people.” “All the land, the waters, the houses, the mines, &c. &c. must return to the people, the whole people: without the restoration of this property, reforms and revolutions are unavailing.” Such is the substance: the matter is treated much at large, and, as I have said, with no inconsiderable ability; and the doctrine is disseminated with

proselytizing zeal. Let then the property of the country be aware of the danger of countenancing the first breach in our civil institutions. It is not only against us, the corrupt House of Commons; it is not only against us, corrupter ministers, that the wrath of heaven is kindled, and the vengeance of the people denounced. The corruption of parliaments and ministers may be cured. Reform will dispose of the one, and revolution of the other: but all in vain; all to no beneficial purpose; while the land continues in “usurpation,” and the “property of the people,” is undivided and unrestored [Hear, hear!].

I have said that such projects are not to be despised: but let me not be supposed to represent them as too formidable. They will grow to be formidable only if unchecked. We must oppose the premises, if we would avoid the conclusions. Stand firm against the approach of innovation, and it will pause and falter in its career: and the earliest check is not only the most decisive, but the most humane. Seasons of great national distress have ever afforded scope for the agency of doctrines tending to national confusion. These doctrines lie dormant during a period of prosperity; they come forth when calamity has prepared the public mind for the reception of the poison. God forbid that the distresses which produce this susceptibility, should be considered as permanent, or that the temper itself should be thought likely to survive them. I have no fear of either. Now is the critical moment of our fate: pass we but unhurt through the complicated difficulties of this moment, and a new course of happiness and prosperity may presently open before us.

The present circumstances; the present temper of the country, are not the result of positive difficulties only. They arise in some degree from lassitude and prostration of strength, and from the cessation of that excitement by which we have been continually quickened and agitated during the last twenty years: a lassitude, occasioned by exertions necessary, God knows, in their origin, strenuous beyond all example in their progress, and glorious beyond all expectation in their result; an excitement, in comparison of which the even tenor of contented enjoyment would have been tame; but in contrast with which privation and suffering naturally create, and might almost justify, a momentary despondency. But we have not

* “Christian Policy the Salvation of the Empire. Published by Thomas Evans, Librarian to the Society of Spencean Philanthropists.”

leisure to despond: we cannot indulge, without danger, a gloomy and reckless repose. The festal blazes of the war are at an end, the sun of peace is scarcely yet above the horizon: we must take care that during this cold and cheerless twilight, the spoiler and the assassin do not break in and destroy [Hear, hear!].

I cannot, I will not, join with those who despair of the fortunes of their country. Great, I admit, is the exhaustion, and severe, I lament it, is the distress. In this moment of exhaustion and distress, the enemies of England again send forth their terrible prophesyings, and pronounce her to be lost to herself and to the world. False prophets may they prove; false prophets they will prove. The stamina of the nation, I am persuaded, are unbroken; the heart, I am confident, is sound. It is not surely at the eve of dissolution, and as in the moment of lightning before death, that I see visions of future glory! But I cannot, I will not believe that the brilliant destinies of England are closed for ever—

“Think you yon sanguine cloud,

Rais'd by war's breath, has quench'd the orb of day?

To-morrow he repairs the golden flood,

And warms the nations with redoubled ray.”

To wait with patience for the turn of these unprosperous times; to bear and to forbear; to endeavour to restore what lord Clarendon, I think, somewhere calls, “the ancient good temper and good humour of the British nation;” to abstain from hazardous innovations and experiments; to probe with a tender hand real grievances, with a view to practical remedy; to cherish the institutions and to foster the resources of the country; this is the course which parliament has to pursue; and which, pursued through this session, painful and laborious as it may be will, I have no doubt, enable us to look back with self-congratulation at the gloomy phantoms by which we are now discouraged and appalled [Hear, hear!].

And now, Sir, as to the vote of this night. Let me remind the House, that the committee proposed by the address is specifically pointed to its object; so much so, that if the address had suggested a committee on the state of the nation, the gentlemen who now propose that amendment would probably have accused the government of endeavouring to keep the true point of difficulty out of sight; and

would themselves have called for the more precise designation of a committee on expenditure. There may, indeed, be another motive (a fair parliamentary motive, I am ready to allow) for moving an amendment, and pressing it to a division. The hon. gentlemen may be desirous of ascertaining by a vote, the degree of confidence which the House of Commons may be pleased to repose in his majesty's ministers. If that be the object, I do not deprecate the division. Were it possible that the hon. gentlemen should succeed in getting the government into their own hands, I confess I should not envy them the inheritance. But so long as the present ministers remain in office, they will endeavour to do their duty to the country. And that which I have most at heart, and which I venture humbly to implore of the House of Commons is, that whatever it may be their pleasure to decide as to the merits of individuals, or as to the fate of administrations, they will be careful to preserve sacred and uninjured, the constitution which is entrusted to their charge.

Mr. Tierney observed, that the right hon. gentleman who had just sat down had talked a good deal of sudden transitions, and his speech certainly abounded in examples of them. The whole of his eloquence had been thrown away upon a subject which was not before the House; and to which there was no reference either in the original address or the amendment. He regretted lord Castlereagh's absence, as that noble lord was once a prominent advocate for parliamentary reform, agreeing with Mr. Pitt and others, as to the necessity of the measure, and if he had not changed his opinions, might have opposed the right hon. gentleman's anathemas against reformers. Mr. Tierney avowed himself a friend to parliamentary reform, but not to annual parliaments or to universal suffrage. He admitted, however, that it was a question which required mature and serious consideration and one which ought not to be entered upon from any clamours out of doors. This was a principle which he had maintained through life, and, unless he heard something against it more substantial than the eloquence of the right hon. gentleman, it was one in which he should die. But let not the attention of the House be drawn away from the nature of the amendment. The whole country was in jeopardy and danger, and, if we were to believe the right hon. gentleman, from temporary

causes. He protested against the doctrine of the right hon. gentleman that it was the duty of the House to re-echo the royal speech. The right hon. gentleman himself when out of office, once moved an amendment to an address, leaving out all after the word "That." The right hon. gentleman had quoted lord Clarendon. He would quote lord Somers as the seconder of an amendment to an address, and calling for a committee on the state of the national affairs. He wished to show the public that the House were alive to their distress. Ministers only threw out their plan of a committee in order to get a few more votes. The right hon. gentleman had been on his travels, employed under the noble secretary for foreign affairs; and therefore, he now thought it was monstrous not to confide in ministers. How long had the right hon. gentleman confided in them? They would be very shy of saying why they now confided in each other. Mr. Tierney contended that the House would not do its duty, unless the amendment was adopted; and he had no hesitation in solemnly declaring, that the country was in a state of the greatest, the most unexampled, and the most alarming danger. With that view of the question, how was it possible they could agree to an address which passed over that danger as lightly as the speech delivered from the throne? It was not true, that a mere committee upon the income and expenditure of the country, which was now promised by the ministers, would meet every consideration which the present crisis demanded. That committee would inquire into nothing but accounts; and so far as the income of the country was concerned, he had no doubt but the chancellor of the exchequer could lay upon the table at that moment the intended report of that committee. But there were other things to be considered. There was our commerce, our agriculture, our poor laws, to investigate; and where was the committee in which those subjects could be entered into? The right hon. gentleman's new ally, the noble lord, had been much engaged in adjusting the affairs of Europe; but he never heard from any commercial man that he had done one single thing that was beneficial to the commercial interests of this country. Our arrangements with regard to France led to any thing rather than to an amicable intercourse. Let the House look at M. Corvetto's report, which stated that there was too much asperity for a commercial

treaty. That was an official answer to the right hon. gentleman's expectations. Trade might revive; but he did not think it would do so to its former extent: for in the American war, trade had fallen off. The recovery to be looked for was extremely limited. Almost all he had formerly told the chancellor of the exchequer had been unfortunately realized. The right hon. gentleman's calculations had been uniformly falsified. His own opinions stood on the journals. The present prospect was a most melancholy one. Would the right hon. gentleman say that he believed the revenue would soon improve? When had gentlemen seen more reductions of expenditure in their neighbourhoods than they had lately done? A diminution of the stamp duties must inevitably take place. There was a general falling off. This year's income could not exceed 45,000,000*l*. The interest of debt, annuities, imperial loan, would, though we take away all the sinking fund, make 26,000,000*l*. The interest of the unfunded debt he would take at 1,500,000*l*. Charges on consolidated fund, 1,600,000*l*.; Russian loan, 130,000*l*. In all 29,230,000*l*. There remained applicable to the service of the country, about 15,800,000*l*. If, therefore, we reduced our peace establishment to nineteen millions, there would be a deficiency of three millions, after giving up every particle of the sinking fund. Was it not then a mockery to say that it was the duty of the House merely to echo back the speech from the throne? Would the House lend itself to such a delusion as to say that there could be any excess? Could the deficiency be supplied by *legerdemain* and *hocus pœus*? There must be some dealing with the bank. Supposing the chancellor of the exchequer to discover an arrear of taxes to the amount of two millions, fourteen millions must at least be made good by exchequer bills. An intention of granting a renewal of the bank charter has been whispered; but to such a rumour he could scarcely lend credit, seeing that the charter of the company had fourteen years to run. The finances of Ireland were not mentioned in the Speech. Was there the least probability that any thing could be got from that country? Thus would there be the enormous sum of seventeen millions to be provided for. A frightful picture this of a great country, reduced by extravagance to the brink of ruin? With regard to the consolidated fund, he doubted not whe-

ther there would be any surplus in the quarter ending the 5th of July next. A committee therefore, on a broad scale was absolutely necessary. The grievance existed in the conduct of that House. If that House had done its duty, he believed, in his conscience, that one half the expenditure we had been at might have been saved. Let the House, then, show a disposition to lighten the burthens of the people. We had concluded the war with success, beyond the expectation of the most sanguine; and yet the people were undergoing sufferings hitherto unparalleled. Was it matter of surprise then, if they should be guilty of using intemperate language? The right hon. gentleman might talk of a man, after great exertions, feeling lassitude, and being desirous of going home to his fire-side; but what must the poor men do who had no fire-side to go to? The public subscriptions must be continued, or general confusion would ensue. In most of the parishes in London the subscriptions would not hold out more than two months. What was then to be done? In St. James's workhouse, he was given to understand, there were, 1,000 poor within, and 2,000 without, who were willing to work, and supported by the mere charity of the day. If churchwardens were obliged to go round with the begging box, what was meant by saying that there would be no necessity for any new taxes. The House had heard a great deal about reductions. But amidst all your reductions (said Mr. Tierney) show me one great man that has been dismissed. Had the right hon. gentleman's own salary been cut down? It was a comfort to have partners in distress. Had any example been set in the highest quarter? He saw no sacrifices made by the great officers. Some officers had been removed; but how? He did not mean to speak unpleasantly of any gentleman. He mentioned last year a grant of 10,000*l.* in the treasury department. From clerks of 100*l.* a year, 30*l.* or 40*l.* had been taken away, and 70*l.* left to keep soul and body together. But a careful visitation on all was the best and only way to prevent discontent. A gentleman had been removed from the commissariat, and had retired upon 1,300*l.* a year, half his salary. But was this all? No. Ministers had cut out a new office in the civil list bill—an office which he asserted last year, and did now assert, was altogether useless. The half salary, together with the new office, was, however,

given to this gentleman. Ministers had last year proposed a vice-treasurer for Ireland with a salary of 3,000*l.* a year: and we were told that that salary was necessary in order that a person of character and responsibility should be put in the office. This salary was cut down to 2,000*l.* a year by the House; but sir George Hill, who had been recently appointed to the office, had been a lord of the Irish treasury, with a salary of only 1,000*l.* a year.—Mr. Tierney next alluded to the circumstance of Mr. Croker having claimed about 250*l.* under pretence of his being entitled to his war salary, in consequence of the expedition against Algiers. All this, he said, showed the principle upon which ministers acted. It showed that they could not be trusted out of sight. If the House had granted him the committee he last year called for, he would have examined the examiners. The noble lord now absent (lord Castlereagh) had indecently and disgracefully opposed his motion for a committee, and had immediately after appointed a committee of three gentlemen, members of parliament. God forbid that any excesses should take place. The only security against such excesses was to convince the people that we were ready to share their distresses. When any thing was to be done that was of a pleasant nature, ministers took the merit of it to themselves; but when any thing was to be done of a contrary nature, the odium of it was to be thrown upon that House; and all this, in order that ministers might keep their places. How dared they, when they knew the begging box was going round, defer the meeting of parliament? At such a period, how could gentlemen be better employed than in attending to their parliamentary duties? It would now be seen how those gentlemen would act, who said last year that they would not support ministers, unless they strictly practised economy. What proofs were there that they were sincere in their professions. With respect to the committee of inquiry, he proposed that it should report from day to day. Let them make a report on the office of third secretary of state—an office which was perfectly useless. He would also propose, that not one placeman should be a member of this committee. As constituted at present, the committee was all a delusion. He should not enter on the topic of our future expenditure till he knew what line of foreign policy was intended. The

House must come to a resolution on the point, whether we had done enough, in point of blood and treasure, for the tranquillity of Europe; if so, Europe must at length be left to shift for herself. It was indeed highly necessary that the House should take into its consideration the whole posture of our affairs, and not vote away the public money on a superficial view of things. The object of the amendment was, to show the country that some confidence might be reposed in parliament. The right hon. gentleman had said, that he would have adopted the amendment if it had not been proposed hostilely; but if the amendment were deserving of notice, what imported the motives with which it was proposed?

The *Chancellor of the Exchequer* made a brief reply to Mr. Tierney, which the impatience manifested for the question rendered inaudible.

Mr. *Saville* said a few words in favour of the amendment, and proposed a committee with open doors, as in the case of the duke of York.

Mr. Preston attempted to be heard, but the House at length divided:

For the Amendment 112

Against it 264

Majority against the Amendment 152

List of the Minority.

Abercrombie, hon. J.	Elliot hon. W.
Althorp, visc.	Fazakerley, J.
Anson, sir G.	Fergusson, sir R. C.
Aubrey, sir John	Fitzroy, lord J.
Bennet, hon. H. G.	Fellowes, hon. N.
Baillie, J. E.	Folkestone, visc.
Baring, sir Thos.	Frankland, Robt.
Barnett, James	Fremantle, W.
Barnard, visc.	Geary, sir Wm.
Birch, Jos.	Grenfell, P.
Brand, hon. T.	Gordon, R.
Brougham, H.	Grosvenor, —
Browne, Dom.	Guise, sir Wm.
Burdett, sir F.	Halsey, Jos.
Burrell, hon. P. D.	Hamilton, sir H. D.
Calley, Thos.	Heathcote, sir G.
Calvert, C.	Heron, sir Robt.
Carter, John	Howard, hon. W.
Caulfield, hon. H.	Howorth, H.
Cavendish, hon. H.	Hughes, W. L.
Cochrane, lord	Hurst, Robt.
Coke, Thos.	Jervoise, G. P.
Curwen, J. C.	Lambton, J. G.
Duncannon, visc.	Langton, W. Gore
Dundas, hon. L.	Latouche, Robt. jun.
Dundas, Charles	Lemon, sir W.
Douglas, hon. F. S.	Lewis, T. F.
Ebrington, visc.	Lloyd, J. M.

Lyttelton, hon. W. H.	Rowmilly, sir S.
Macdonald, James	Rowley, sir W.
Mackintosh, sir J.	Russell, lord G. W.
Madocks, W. A.	Russell, lord Wm.
Markham, adm.	Russell, Robt. G.
Martin, John	Saville, Albany.
Martin, H.	Scudamore, R.
Milton, visc.	Sharp, Richard
Molyneux, H. H.	Sefton, earl of
Monck, sir C.	Smith, John
Morland, S. B.	Smith, Abel
Morpeth, viscount	Smith, Wm.
Mostyn, sir T.	Smith George
Moore, Peter	Stanley, lord
Neville, hon. R.	Tavistock, marquiss
North, D.	Tierney, rt. hon. G.
Ord, Wm.	Townshend, lord C.
Ossulston, lord	Townshend, lord J.
Pierse, H.	Waldegrave, hon. cap.
Pelham, hon. C. A.	Warre, J. A.
Pelham, hon. G. A.	Webb, E.
Philips, G.	Wilkins, Walter
Piggott, sir A.	Wynn, sir W. W.
Ponsonby, rt. hon. G.	Wynn, C. W.
Ponsonby, hon. F. C.	TELLERS.
Powlett, hon. W.	Calcraft, John
Preston, R.	Hamilton, lord A.
Prittie, hon. F. A.	PAIRED OFF.
Proby, hon. capt.	Lamb, hon. W.
Pym, Francis	Knox, Thos.
Rancliffe, lord	Dickenson, Wm.
Ridley, sir M. W.	

When the division was over,

Lord *Cochrane* moved the following Amendment to the address: "That this House has taken a view of the public proceedings throughout the country, of those persons who have met to petition for a reform of this House, and that in justice to those persons, as well as to the public at large, and for the purpose of convincing the people that this House wishes to entertain and encourage no misrepresentation of their honest intentions, this House, with great humility, beg leave to assure his royal highness, that they have not been able to discover one single instance, in which meetings to petition for parliamentary reform have been accompanied with any attempt to disturb the public tranquillity; and this House farther beg leave to assure his royal highness, that, in order to prevent the necessity of those rigorous measures which are contemplated in the latter part of the Speech of his royal highness, this House will take into their early consideration the propriety of abolishing sinecures and unmerited pensions and grants, the reduction of the civil list, and of all salaries which are now disproportionate to the services, and, especially that they will take into their consideration

the reform of this House, agreeably to the laws and constitution of the land, this House being decidedly of opinion, that justice and humanity, as well as policy, call, at this time of universal distress, for measures of conciliation and not of rigor, towards a people who have made so many and such great sacrifices, and who are now suffering in consequence of those sacrifices, all the calamities with which a nation can be afflicted."

The above amendment not being seconded, fell, of course, to the ground. The address was then agreed to; and the House adjourned at half past three on Friday morning.

HOUSE OF COMMONS.

Friday, January 31.

CONFERENCES WITH THE LORDS.]

Mr. *Wynn*, alluding to the late conference with the Lords on the subject of the outrage committed on the Prince Regent, and the deviation that had then taken place from the usual forms of such a proceeding, informed the House that he had prepared a motion on that subject in conformity with their desire. The accommodation that had formerly been prepared for the managers on the part of the Commons had been withheld, and there had been a general deviation from the forms that had for 150 years been established, and inserted in the Journals of the House. No notice had been taken of the circumstance during the last conference, on account of the peculiar circumstance that had occasioned it, and the importance of which had absorbed every other feeling. He concluded by moving the following resolution: "That a message be sent to the Lords, to inform their lordships that this House, taking notice, that in the manner of holding the last conference, there was some departure from the ancient and accustomed forms, and that the usual accommodation was not provided for the managers for the Commons, do desire that these matters may not be drawn into precedent, and that their lordships will give directions that the place of meeting be restored to its former state."

The resolution was agreed to, and Mr. *Wynn* was ordered to carry the said message to the Lords.

PETITIONS RELATING TO REFORM, &c.] Sir *W. Lemon*, in rising to present a Petition from the freeholders and inhabi-

tants of Cornwall regularly convened and signed by the sheriff, stated, that the petitioners prayed for retrenchment and economy, and a general reduction in all the departments of the public expenditure. The petitioners referring also to the inadequate representation of the people in that House, prayed that that important subject should be taken into immediate consideration, with a view to remedy the evils complained of, and to alleviate the public distress, which was mainly attributable to the deficient state of the popular representation. This petition, the hon. baronet observed, was totally free from any of those wild theories or rash experiments which unfortunately emanated from other assemblies professing to have reform in view. His constituents had, he had the satisfaction to say, no concern whatever in such transactions. Having stated their opinions in a proper and respectful manner, they left the subject of reform to be considered by the superior wisdom and sound discretion of that House. With their views, therefore, he cordially concurred, and he should support the principles of reform, as he had done throughout his life, from the time that important measure was brought forward by sir George Savile. He hoped and trusted that a committee would be appointed to consider the subject of this petition, or that the House itself would resolve into a committee, for the purpose of fully considering its merits. The hon. baronet concluded with stating, that he had two petitions from Cornwall upon the same subject, the one having 300 and the other 5,000 signatures.

The first petition was read. It stated, that until the people were adequately represented in that House, there could be no hope of public economy, no security for popular freedom. The petitioners urged further, that if the people had been faithfully represented, no such measures would have been adopted as had so materially violated their rights, injured their interests, and augmented the public taxes, especially within the last twenty-five years. That if a proper system of representation had existed, the public debt, which at the close of the reign of king William did not exceed 17 millions, would not have been raised to the enormous amount of 1,100 millions. That the standing army, which at the conclusion of the treaty of Ryswick was reduced to 7,000 men, would not upon

the present peace establishment have amounted to 150,000 men. That the odious property-tax would never have been imposed. That the free people of England would never have been involved in an unjust and unnecessary war against the freedom of France. That laws so hostile to liberty as had been passed in the course of that war would never have been agreed to. That our fellow subjects of Ireland would not have been condemned to suffer the horrid infliction of torture, while the authors and abettors of that barbarous practice were allowed to enjoy not merely impunity, but reward and advancement. Such were the consequences which the petitioners ascribed to a system of representation under which the whole of that House was elected by little more than 15,000 persons, while a decided majority were appointed by peers and other individuals, while by a distinct resolution of that House, peers were forbidden to interfere in the election of any member of that House. Therefore, the petitioners urged that the great mass of the people were excluded from any substantial influence in the election of the House, and that an oligarchical faction had actually usurped the sovereignty of the country to the equal danger of King, Lords, and Commons. They therefore prayed the House to take into their immediate and serious consideration the grievances of which the petitioners complained, and to give them such relief in the premises as to the House should seem fit; they wished for nothing more than that constitution which was their birthright; they prayed only to be substantially and adequately represented, in full, frequent, and new parliaments: this would satisfy the wishes and appease the discontents of the nation: it would give them indemnity for the past and security for the future; it would restore and preserve the lost balance of the constitution, and establish a happy union and good agreement between king and people.—On the motion that the petition do lie on the table,

Mr. Brand rose to second the motion, and in so doing he felt, he said, peculiar gratification, as well from a solicitude for the object which the petition had in view, and the tone in which it was expressed, as from just deference for the invitation with which he had been honoured by the meeting, from which this petition emanated. To the character of that invitation he could not be insensible, and he cer-

tainly should endeavour to justify it, by giving all the support in his power to promote the success of that important object which the petitioners sought to attain. Those who had heard, or who had had an opportunity of reading the discussions which took place at the meeting from which this petition emanated, could not fail highly to estimate the eloquence, the talents, the learning and the argument by which it was distinguished, and the title of such a meeting, to the attention of parliament. It were anxiously to be wished that all the meetings which had taken place upon the subject of reform, had been influenced by the wise example upon which this petition proceeded; that the same spirit of moderation, firmness, and good sense had universally prevailed. The existence and pressure of the public distress alluded to by the petitioners, could not be denied; but it might be said that the remedy which they proposed was doubtful. He, however, was fully convinced that a parliamentary reform would be the most safe and efficacious remedy that could be devised to relieve and to satisfy the country. But in stating this opinion he begged to be distinctly understood as in no degree concurring with those vague, dangerous, and impracticable doctrines, which some persons had the temerity, the wildness, and he would say, the audacity to promulgate. These doctrines were, indeed, not only rash and dangerous, but totally novel, for notwithstanding the confidence with which they were advanced, it was an indisputable fact, that such doctrines had no foundation whatever in the history of our constitution or country. For his own part, he had no hesitation in stating his conviction, that the repeal of the septennial law would serve to restore the best practice of the constitution. As for the proposition of universal suffrage, he decidedly disapproved of it. He should, indeed, feel it his bounden duty to oppose the adoption of that principle, convinced that it would tend not only to produce universal confusion, but lead to the total destruction of the popular part of the constitution. But to return to the petition before the House, he had the more satisfaction in supporting it, as it presented a striking contrast to that farrago of absurdities under the name of petitions, which had been lately introduced. This petition contained a temperate statement of undeniable grievances, and solicited constitu-

tional redress. It was, indeed, throughout so unexceptionable in its character, that he heartily hoped that its example would be universally imitated by all those who really sought for parliamentary reform; for to support such petitions, he should ever be forward and active.

Mr. *Elliot* said, that he always felt a certain degree of pain in adverting to what was called parliamentary reform, because upon that subject he decidedly differed from many persons for whom he entertained the highest respect, and with whom he generally concurred upon important points of public policy. The sentiments which he had expressed on former occasions had indeed undergone no change whatever, but had derived additional confirmation from the manner in which the constitution which the reformers sought to alter, or as they said, to amend, had carried this country through a series of unparalleled difficulties, and would, he had no doubt, enable us to surmount all the obstacles which we had yet to encounter. He therefore hoped that the House would excuse his anxiety to urge that it should pause, particularly at present, when so much vague and dangerous theory was afloat, before it consented to touch the great and complicated frame of the constitution—before it entertained any proposition to innovate upon such a system. He begged that gentlemen of all parties friendly to the main principles of the constitution, would look to the quarters from which the new theories emanated. The views and conduct of many of the actors in this great drama were perfectly well known; indeed, they could not be misunderstood, and he trusted that that House, including the moderate reformers, would not agree to throw open the constitution of this country to the speculations of those state architects. The doctrines which were openly promulgated, the publications which were so actively diffused, could leave no doubt as to what these persons had in view, but he confided in the firmness of that House, and the good sense of the country, to preserve our invaluable constitution entire and unimpaired.

The petition was ordered to lie on the table.

Sir *Francis Burdett* rose to present a petition upon the subject of parliamentary reform, from the inhabitants of Halifax and its vicinity. He had several others from the same part of the country, upon the same subject, and he took that oppor-

tunity of protesting against a doctrine, with respect to presenting petitions, which had recently been urged. He considered it as throwing an unfair onus upon the shoulders of members of that House, who, in the exercise of their duty, received petitions from the people, and presented them there; it formed likewise an impediment to the exercise of that right of petitioning which every Englishman possessed. He begged leave distinctly to state, that he had not thought it his duty to read the petition he then held in his hand. He had merely looked to what was its prayer, and its general purport; he had not examined whether the language was such as the House might deem offensive; nor, indeed, did he think he should be acting fairly, if he presumed to intercept, by any exercise of his private judgment and discretion, the right of the petitioners to appeal to that House in whatever way they thought the most likely to obtain their end. It was the duty of members to present petitions when their fellow subjects requested it, and to leave it to the House to determine whether they should be received or not. At the same time, however, he must observe, that he thought the right of rejecting a petition, as exercised by that House, a very questionable privilege. With respect to the petition, he now had to present, he did not consider himself answerable for what it contained, nor bound to support any of its principles or opinions. His conduct upon the great question of parliamentary reform would not be regulated by any or all of the petitions that had been, or might be, presented on the subject. He felt himself at perfect liberty to take his own course; and though he might entertain different notions from some, he was no less anxious for the attainment of the common end—a constitutional reform of that House. The time had now arrived, when he was persuaded it would be impossible to defer that most important subject much longer; and if it was fairly and candidly examined, he was sure the great bulk of the people would be satisfied. But if their petitions were not attended to, the safety and tranquillity of the country would be endangered. By a calm, a sincere, and a deliberate consideration of the subject, the people might still be united with that House in the support and defence of the crown; and that union was most devoutly to be wished for. He should conclude by moving that the petition be brought up.

The *Chancellor of the Exchequer* said, he should call upon the Chair to state, whether his conception of the duty that belonged to a member of parliament in presenting a petition, was correct or not. According to that conception, any member presenting a petition, was bound to state the substance of it, and in stating it, was equally bound to answer whether it contained any thing objectionable or offensive. If such was not to be the duty of members, the table of that House might be covered, and their journals filled with the most atrocious libels against the constitution of the country. He would therefore ask the hon. baronet whether he had read the present petition.

The *Speaker* observed, that from the time when there was any memorial existing of the proceedings of parliament, two points were indubitably clear, first, that it was the duty of every member, when he presented a petition, to state its substance; and the House would judge how far a member could do that without reading it: secondly, it was a duty equally incumbent on a member to take care, that whatever might be the allegations of a petition, they should be couched in proper and respectful language. Unless parliament, therefore, were disposed to depart from all its ancient usages in that respect, it would continue to enforce those duties. He had never heard or read any thing contrary to what he then laid down, and the House would abide by its accustomed forms, if it did not wish to introduce a new rule.

Sir *F. Burdett* replied, that he could only say, he had perused an abstract of the petition, and knew its purport; but he could not say, whether the language was sufficiently gentle and polite to enter a lady's ear, or the equally delicate and diseased ear of the House of Commons. It struck him, indeed, that it would be peculiarly difficult to find expressions so nice as to give no offence. How were the people to complain of that House, but in the language of reproach? That language might be very true, and yet very unpleasant to themselves. With respect to the petition, he had stated that in substance it complained of a defective representation of the people in that House, and he was not aware, nor did he believe, that it contained any offensive language.

The *Speaker*. The hon. baronet has stated all that the House requires. In his judgment, there is nothing, in the lan-

guage of the petition, offensive to the honour and dignity of this House.

Sir *F. Burdett*. There is another thing I wish to mention. I have received a great number of petitions, and I declare I would not undertake to read them all, for any consideration. It would occupy me the whole time of the session.

The *Attorney General* observed, that though the hon. baronet had not read, nor meant to read, all his petitions, yet the House was expected to undergo that operation; and unless the wholesome rule laid down by the Chair was adopted, what would be the consequence? That House would have to perform the painful duty of listening to petitions, which, from their intemperate and insulting language, it would afterwards be compelled to reject. He knew there was great delicacy and difficulty in speaking upon such a subject, and he, for one, should be disposed to follow the advice that had been given by the highest authority in that House, that their doors should be opened as wide as possible for the reception of petitions. But there was a line to be drawn; nor did he conceive that it was the absolute duty of a member to present whatever petitions might be offered to him. A petition, in fact, had been put into his own hands that very day, but he felt it his duty to object to it; not because it contained any thing offensive to the dignity of parliament, but because he had no knowledge of the facts which it alleged. He understood the cheer of the hon. gentleman opposite, but he must still venture to think that his motive was correct. Had he presented the petition, he should have considered himself as an instrument, in laying upon the table of that House severe charges against an individual who was named in it. He might have stated, and truly, the prayer of the petition, and that the language was inoffensive; but having read it from the beginning to the end, he was satisfied that he ought not to present it.

Mr. *Brougham* said, his hon. and learned friend had carried the rule now contended for, with respect to petitions, a step further. It was not enough that a member must ascertain whether the language was unobjectionable; but he must also see whether the subject itself was fit to be laid before parliament: a previous inquiry into facts was to be instituted, and he supposed the parties were to be called to verify their statements. He implored his hon. and learned friend, in his

new situation of presenting petitions from the people complaining of their grievances, to revise the rule which he had laid down for himself. His hon. and learned friend had totally and entirely misconceived the duty of a member of parliament (which was, indeed, often painful and disagreeable), upon the subject of presenting petitions. He had often felt the evil, but it was a necessary one; and when a petition was brought forward, containing matter of charge against another individual, the only remedy was to let the other party put in his answer: but it was most irregular to obstruct the subject's right of petitioning by the interposition of their own private judgment.

The *Attorney General* said, he had only sent back the petition, that it might be revised; and that was one advantage of reading petitions before they were presented.

Mr. *Wynn* said, that if it was the duty of a member of parliament to present petitions, it was no less a duty to read them first. He could not conceive how any person could bring forward a petition, and at the same time declare he had not perused it. That House had no other protection against insult, than in the confidence which it reposed in its own members. With respect to the duty of every member of parliament to present whatever petitions may be offered to him, he could not go so far as some hon. gentlemen seemed inclined to do. If a member had reason to believe that the allegations of a petition was false, he was bound to refuse presenting it. When, also, a petition contained serious charges against an individual, and that individual was not previously aware that such a petition was about to be brought forward, he conceived a member should refuse it. Of course he excepted charges against a governor of a distant colony, and similar cases; but if the party against whom the petition might be directed was in the country, he thought every man would only do his duty in not presenting such a petition, unless notice of it was given to the party accused; for no one ought to be exposed to the hazard of an unfounded calumny through that House. A petition, containing not one particle of truth, might otherwise be laid upon their table, printed in their votes, and circulated throughout the country, and when all the mischief was done, another petition might come forward, disproving all that the former had alleged.

Mr. *Abercrombie* contended, that the House was departing widely from the question really before it. The *Speaker* had declared that the hon. baronet had complied with the forms which the House required, by asserting that the petition contained nothing offensive or derogatory to their dignity and honour.

The *Speaker* here interrupted the hon. member, by observing, that with respect to the last point, it could only be a matter of the hon. baronet's own judgment: but he begged to be distinctly understood, that as no member, out of doors, was compellable to accept a petition, so no member in that House was entitled to present one of which he could not aver that he knew the nature.

Mr. *Abercrombie*, in continuation, said, that the policy which the House now seemed disposed to adopt, as well as the time selected for that policy, were extremely exceptionable. He would go as far as any one, in receiving petitions, and give all possible latitude even to those which complained of the want of a due representation of the people in that House. To be sure, it was extremely unpleasant to the House to be told of corruption and undue influence, which might or might not be true; but if it appeared to the House that more was said than was at all necessary to the statement of grievances, and if there appeared a voluntary and deliberate offence against the character and dignity of the House, then it would be the duty of the House to reject the petition. But the policy of the present objections was very questionable. They should decide not on circumstances merely, but on the strict usage of parliament. An attempt was now made to oppose an additional barrier against the reception of petitions, by a strict examination of every member presenting them, and by interrogating him as to whether he had read them, and if he happened not to have read them throughout, to move for their rejection. The hon. baronet had said, that he had read the prayer and an abstract of the contents: but the question was simply, whether an individual member's opinion on the subject of offensive matter was to be taken. The hon. baronet had said, that he had so many to present that he had not time to read them all. It was his duty to know the substance, and it appeared that he did so, though he had not read the petition *literatim*. The principle contended for would

throw great difficulty in the way of petitions. The language of a petition might receive a great variety of constructions from different persons. The learned attorney-general had said, that he had refused to present a petition because it contained charges against individuals: there was nothing to find fault with in that. He should wish to follow the example of the late Mr. Whitbread, who occasionally offered petitions which he candidly stated he was not prepared to support. That eminent man had said, that the House ought to be accessible to the complaints and prayers of petitioners; that he would go to the extent of presenting a petition; but that the petitioner had no right to expect any thing more from him. He believed, were Mr. Whitbread fortunately now a member of that House, he would have opposed firmly the sort of examination which the learned attorney-general appeared desirous to introduce, with the professed view of finding whether a petition contained any thing disrespectful.

Mr. *Canning* said, that as to any exercise of discretion which a member might think necessary in governing his conduct, that was wholly foreign to the subject then before them. One thing the Chair had distinctly laid down, which, till over-ruled by higher authority, if higher could be found, that House was bound to observe. They had a right so exact from every member who presented a petition, that he should first read that petition. With regard to what the hon. member who spoke last had attempted to engraft upon the question, about examinations and cross-examinations, he should get rid of them at once; for upon every petition presented by the hon. baronet, it would be enough to ask the simple question, have you read it? If answered in the negative, the House was bound to refuse its being brought up.

Sir *Gilbert Heathcote* observed, that the last right hon. gentleman had already made his declaration against all reform; and he might therefore think a petition praying for it quite indecorous. But how could it appear so to those who were friends to reform, and must therefore think such a petition constitutional? The question about presenting petitions must, therefore, in his mind, be resolved into merely a matter of individual judgment as to its exercise.

Mr. *Canning* said, that the hon. baronet had certainly misunderstood him. He

had not said, whether a member ought to use his own judgment or not; but that, by the rule of the House, he ought to read a petition before he presented it. That was matter of fact, and not of opinion.

On the motion, that the petition be brought up,

Mr. *Canning* requested to know whether the hon. baronet had read it.

Sir *F. Burdett* said, it was extremely possible to imagine that a member of parliament could not read writing. There certainly was a time when many members who sat in that House could not; and if the present doctrine was to be enforced, it would be necessary to make reading one of the qualifications for a seat in parliament. All he should say to the right hon. gentleman was, that he would not answer any question he might put to him. He stood there to represent the grievances of the country; grievances so enormous that they could no longer be borne. He spoke the language, not of himself, but of half a million of Englishmen; and was the House prepared to say it would not listen to that voice? Was it to be endured, in such a moment, when the nation was complaining of its wrongs from one end to the other, that lawyers should get up and cross-examine any member who, in the exercise of his duty, laid before them the petitions of the people? Were they to be told, one day, that the names of petitioners must appear upon the parchment, and another day, that members, must read every petition they present, or it would be rejected? Were such formalities to stand between the people and their representatives; and if not complied with, were the former to be dismissed without a hearing? Was that a time to erect such a barrier? He had already said, that he had perused extracts from the petition, and that he knew its purport; but he was sure, if either himself or the House must read every word contained in the petitions he had to present, it would occupy the greater part of the session. He should say nothing more than merely move that the petition be brought up.

Mr. *Canning*—In order to explain clearly the nature of the present question, and that the House may distinctly understand my motives, in the course I mean to pursue, I request you, Sir, to lay down again, the practice of parliament upon these occasions.

The *Speaker*—I am at all times ready

to obey the wish of the House. I do undoubtedly conceive it to be the bounden duty of every member who presents a petition to this House previously to read it, that he may know its contents.

Mr. *Canning*—Then upon that ground, Sir, and from a complete conviction that we must abide by our rules, that we must uphold your authority, if we would not compromise our own dignity and honour, as well as the safety of the constitution, I most unwillingly, but forced to it by the hon. baronet himself, object to the bringing up of this unread petition.

Mr. *Brougham* expressed the most sincere respect and deference for the opinion of the Chair, but yet he implored the House, as it valued the safety of the constitution, as it valued the safety of the whole kingdom, to pause a little before it entered upon that course into which the zeal, and he would say, the presumption of the right hon. gentleman was about to precipitate it. The right hon. gentleman talked about certain rules and practices of that House, as if they were tangible things, as if they could be found upon their journals and records, while in fact he was only appealing to a *dictum*, highly venerable indeed, but still deficient, because not put into their votes, nor sanctioned by their deliberate authority: and he had engrafted upon that opinion, the character of which no man was less disposed to undervalue than himself, an assumption of power, which he believed was then asserted for the first time since parliaments had been known. He would now show that right hon. gentleman, that he did not know where he was proceeding with his threats. The right hon. gentleman had thought proper to warn the members of that House, whose duty it might be to present the thousand petitions backed by half a million of their fellow subjects, that as often as they came forward with those petitions, he would put a question to them which they must answer. Must! [Hear, hear!] He, however, would beg leave to tell that right hon. gentleman that no individual member of that House had a right to put any question to another member. He might move the Chair to put such question, but the Chair itself could not proceed to put them without the permission of the House, which was the depository of its own privileges. It was for the House, and not for the right hon. gentleman, or any of his various colleagues, to decide what questions should be proposed.

There was another question connected with the present subject that should not be forgotten. Members who had petitions to present, and having duly read those petitions (a greater innovation he believed was never attempted), were then to be asked, whether, according to the best of their judgments, they appeared to be couched in proper and respectful language? Would such things be tolerated? He should make no further comment upon this novel and extraordinary doctrine, introduced at a moment when all England was sending petitions for a redress of grievances. He would only once more conjure the House to pause, before it rashly and in the heat of the moment sanctioned a new practice, of which no vestige was to be found amongst its standing orders or regulations.

Mr. *Bathurst* said, that the hon. and learned gentleman who spoke last, had treated the question in a very extraordinary way, and had entirely departed from the original question, which was simply "that the petition be brought up." It was said, that a question to a member was to be put by the order of the House from the Chair. In strict formality this was certainly true. But was it absolutely necessary? Was it not one of those forms which might, without the slightest loss of dignity, and with much convenience, be dispensed with? Was it any novelty to dispense with it? The novelty was, that any gentleman presenting a petition, should make it a part of his speech on the occasion to say, positively "I have not read this petition." This was really the only novelty. An hon. gentleman had alluded to the opinion of the late Mr. Whitbread, that in presenting petitions a member did not make himself answerable for their contents. For his own part he could only say, that he never had heard Mr. Whitbread express such an opinion; but he was very confident that he had often heard him say, on presenting a petition to that House, that he had looked it over, and found nothing offensive in it. And the same thing was always expressed or implied by any member who presented a petition to the House. But it was said, forsooth, that there was no written law for this. Was it necessary that every rule or regulation should be written? Were those laws only to be conformed to which were written laws? Where was the written law to be found that the eldest son should inherit real property? and yet upon the

principles of the hon. and learned gentleman, this was an innovation, because it was not a written law. Where were we to look for laws but in the immemorial usage, the experience, and the wisdom of our ancestors? In common parlance it might with perfect correctness be said, that a question was put by one member to another, although in point of strict, though in common cases unobserved, formality, it was supposed to be put by the House through the Chair, at the suggestion of the member; and this might be correctly said in the same way that a member would, "I will not have a division," and so on. When it became the practice for members to get bundles of petitions wholesale, which, when they come to present to the House, they say they have not read, by such a confession they not only showed disrespect towards the petitioners, but also towards the House. It was highly proper that before receiving a petition the House should have the sanction of at least one of its members, that it contained no improper matter. He did not object to receiving these petitions, though he thought that some which had been received were objectionable. Petitions might sometimes be offered by those who would be glad to find them rejected. He meant to impute nothing of this kind to the hon. baronet. It was too much now to go against the experience of ages. He thought it unworthy of the hon. baronet to suppose the possibility of a member of parliament not being able to read. The rule was no impediment to a member's privilege, but was useful to the whole House. He would stand upon the practice of the House, which was not thus to be got rid of, though it was unpleasant to reject a petition. If it was rejected, the fault rested with the hon. mover, who would not comply with the practice of the House.

Sir *Samuel Romilly*, before the question went to the vote, declared his anxiety to state the ground of his decision. He would in the first place contend, that it was the duty of a member to read, previously to its being presented to the House, any petition that he introduced. Whilst, however he considered such the duty of the member, he must still vote for the reception of the present petition, because, from circumstances, the rule should not be invariable. There might be cases, where petitions on subjects of pressing importance were very numerous, where great inconvenience would ensue from

reading every sentence as was declared by the hon. baronet in the present, in which the rule might be relaxed with reasonable indulgence. Besides, the hon. baronet had also apprized the House that he had looked over the petition generally, and that he believed it was inoffensive in manner and substance. This assurance he must feel, under all circumstances to be sufficient; and he begged to put it to the House, when it considered the agitated state of the country, and the severe pressure under which all classes of society suffered, and none in a more aggravated degree than the petitioners whose prayer was before them—when it was recollected how strong an anxiety was expressed, in the discussion of a former evening, for that House to diffuse and encourage a good temper amongst the people, whether they ought now to go out of their way on disputable points, particularly when aware that such conduct would be represented abroad in the worst possible way, and would thus widen the breach between parliament and the people, if any such breach now existed.

Lord *Lascelles* said, that as the present petition proceeded from a part of the county which he had the honour to represent, he wished to offer to the House a few observations. He could not help, thinking from the language and conduct of the hon. baronet, that he was placed in a situation by the petitioners and his sense of duty, which he had not himself sought, and which might even be considered as a hardship. Numerous petitions were sent him to present, of all the contents of which it was laborious to attain a knowledge, and of all the principles of which he might not entirely approve. Many of them came from the county which he (lord L.) represented, though the petitioners had rather chosen to communicate through the hon. baronet than through him. The hon. baronet had truly stated, that he felt it a great task to read them all, and a rule which imposed this task might be considered as a demand with which he could not comply consistently with presenting the great mass of them which was entrusted to his care. The House, on the other hand, required of every member who brought forward petitions, that he should have read them, and that they should have the security of his judgment and discretion against any offensive or insulting language in which their framers might be pleased to couch them. Here was the point of form:

this was the matter at issue between the hon. baronet and the House, it was a matter of feeling or convenience with the hon. baronet, and he confided in the good sense of the hon. baronet, that he would not bring parliament into a contest with the country, or array the petitioners, whose prayers he presented, against the assembly to which they applied, on a mere point of personal feeling or accommodation. He was convinced, that the hon. baronet, on calm and mature reflection, would see the propriety of not pressing the House to a division in a case so unimportant to him, while its conduct, if forced to reject the petition, would be liable to so much misrepresentation. He himself, coming from that part of the country where the petitioners resided, and being well acquainted with their temper and situation, not only from personal knowledge, but from the information of others, might take it upon him to tell the House, that if their language was violent and intemperate there were many apologies to be made for it, and that it was not always a true expression of their deliberate sentiments, or the real state of their minds. In his opinion, a wide distinction was to be made between the designs and disposition of the petitioners and the reprehensible terms to which the House had objected. The people were in great distress, without employment, or the prospect of returning prosperity. In the extremity of their trouble they looked about for an alleviation of their sufferings, or a remedy for their grievances; and in this state they were told, that by subscribing their names to a petition for parliamentary reform they might obtain a relief from their burthens, through political changes, and secure themselves against the recurrence of similar evils. Men in distress were not disposed to examine very scrupulously into the truth or propriety of any measure that held out the hope or prospect of a beneficial change. The petitioners, though they thus subscribed violent petitions, were not violent men, and ought not to be judged of according to the strict import of expressions which many of them did not weigh, and which some of them did not understand. The intemperate resolutions to which they came at public meetings were no index of the real, deliberate, and matured opinions of those who voted them by acclamation. Although he had not been applied to for the purpose of presenting the petitions which were put

into the hands of the hon. baronet, he would tell the House the connexion he had with some of the petitioners, and the answer he returned to their inquiries. He had been asked his opinion concerning the propriety of a member presenting petitions which, from his political sentiments, he could not support; and whether he himself would present petitions for parliamentary reform. His reply was, that he would consider it as a matter of duty to carry to the House any petition for reform, however far its prayer extended, if it was couched in decent and respectful language, and contained no matter menacing or insulting to the House. He told them, moreover, that he did not agree with them in the necessity of reform, or the scheme of reformation they proposed, and that if they thought their petition would have more weight when presented by one whose opinions came nearer to their own, he would recommend them to apply to another. The petitioners had taken his recommendation. Such had been his answer, and such was his conduct. He would be sorry that, by any perseverance on the part of the hon. baronet, the House should be driven to appear regardless of the applications of such men as he had described, or be placed in conflict with the misguided, led astray by those who took advantage of their sufferings to inflame their minds. He would regret this circumstance the more, because a refusal of their petitions would answer the very purpose of those who were the chief instruments in forwarding them, and who infused violence and extravagance into them, with the design of securing their rejection. This was a matter, however, for the House to decide upon; and it might not be disposed to allow itself to be approached in disrespectful language, whatever were the motives of the applicants. If the House could reconcile itself to receive them, or if the hon. baronet surrendered his stand on the point of form, he would be gratified in the present instance, because he believed the real dignity of parliament was not involved in the question. If he were of a contrary opinion, and conceived that the privileges, or the dignity of parliament would be comprised by consenting to receive the present petition, he would be the last man to yield an atom, or to retire from his ground an inch, though the House were surrounded by half a million of men, or all the petitioners whose applications the hon. baronet stated would be laid on

the table; because he was convinced, that the surrender of one privilege from menace or intimidation would only invite farther attacks. Under all the circumstances, he trusted the hon. baronet would not, and he used the phrase in no invidious sense, press the point with any pertinacity [Hear, hear!].

Sir *F. Burdett* expressed a desire, after the candid statement of the noble lord, to set him right as to the expression used by him in an early part of the debate. He did not disclaim any identity of his opinions with the petitioners; he only wished to be understood as not being bound to support the prayer of petitions, which he still thought it his duty to present. He meant to steer a moderate rational course, and to endeavour to unite all classes in an understanding of the wishes of the great body of the petitioners, on the subject of reform. He would be sorry to bring the House into any contest with the country, on a mere point of form, or personal convenience; and he had made the stand that he did against the rule laid down, not from pertinacity, but because he thought the right of petitioning involved in the question. Some of the petitions which he held in his hand he had read since he came into the House, and would move that they be brought up. He moved, therefore, that a petition from certain inhabitants of Halifax be brought up.

Lord *Cochrane* objected to the rule that had been laid down, imposing upon a member the necessity of reading petitions before he presented them. Cases might occur, in which a member might receive so many, or have so little time, that he could not peruse them all, and thus the subject might suffer because the representatives of the people could not learn their grievances. He could not see any propriety in objecting to petitions for reform, on the ground that the Commons House, as at present constituted, did not represent the nation, because such allegation could alone justify a call for reform. That the House, which was filled with sinecurists and pensioners, should dislike accusations of venality and corruption was natural; but it was their duty to hear what their constituents had to say against them. He hoped the day was not far distant when such accusations would not be brought against parliament, because such reproaches would be removed. He hoped he should succeed in the motion of which he had given notice, on the subject of

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places and pensions held by members of the House. If ministers consulted their own credit, they should be beforehand with him, and accomplish those objects which he had in view, before they were compelled either by a vote of the House or the voice of the country.

The petition was ordered to lie on the table.

Sir *F. Burdett* presented three other petitions from inhabitants of the town and neighbourhood of Halifax, two of them praying for universal suffrage and annual parliaments, and one for annual parliaments and suffrage co-extensive with direct taxation. They were all read and ordered to lie on the table.

Mr. *Brougham* observed, that after hearing these three petitions, and many others that were offered to the House with the same prayer, he could not help making a few remarks to counteract the absurd and pernicious doctrines that they contained, and to call the attention of parliament and the country to one of the ridiculous blunders, or wilful misrepresentations, on which they all proceeded. He had the greatest respect for some of the petitioners; he gave them credit for the best intentions, and he could find apologies for all their errors; but he was sure they had never read or considered the petitions which they subscribed; they had never weighed the principles which they contained, or the consequences to which they would lead. They were goaded on by distress; they felt all those sufferings and embarrassments so feelingly described by the noble lord opposite; and when they looked for a remedy, they were told by those who were too well informed and too artful to be themselves deceived, that they could only obtain relief by annual parliaments and universal suffrage. He had no objection that those subjects should be discussed, that they should be entertained as political questions, that applications should be made to the House to support them; but what excited his displeasure was, that those who must have read the history of their country, who were not ignorant men, who had reflected long on what they were doing, urged the uneducated and illiterate to demand universal suffrage as their birthright, to place it in the same rank with personal liberty or security of property, to declare it the ancient imprescriptible right of Englishmen; and told those whose opinions they directed, as a matter of history, that it

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was for this right their ancestors fought and bled. The men who made these statements must know they were propagating delusion, and that truth and fact were against them. He was not unacquainted with the history of his country, but he had never read in any historian, or in any account of the constitution of England, that our ancestors fought and bled for universal suffrage; or that in the struggles between the crown and the people, on two very important occasions, when our rights and liberties were the subject of contention, in the time of king John and Charles 1st, this political doctrine was ever thought of by our brave and patriotic forefathers. In the former of these periods, so far were our ancestors from allowing universal suffrage, or every man who had attained the age of twenty-one to vote, that the great body of the people were not represented at all; or if represented, were represented in a way very different from that now contended for. They were, in fact, in the state of the most degrading villinage, and treated rather like beasts of buthren than as being capable of political right. Those who spread the delusive cry of universal suffrage could not be ignorant of these things, and must intend to mislead those over whom their influence extended. But though the people were misled, their opinions should be treated with gentleness, and their errors corrected with mildness. If, instead of shutting the doors of parliament to the petitions of public meetings, if instead of taking any severe methods of preventing these meetings from assembling to petition, an attempt were made to convince them by sound reasoning and rational argument, much would be done to conciliate their minds, and allay their irritation; much would be done for the cause of good order and constitutional liberty. [Hear, hear! from all parts of the House].

NUPTIALS OF THE DUKE AND DUCHESS OF GLOUCESTER.] The *Chancellor of the Exchequer*, in rising to submit a motion to the House, hoped that they would pardon him for so doing, without previous notice; but he was convinced that they were all so well acquainted with the high character and virtues of the illustrious personages who were the subject of it, that they would not hesitate to grant the congratulations usual on the marriage of any branches of the royal family. The right

hon. gentleman then moved, "That an humble Address be presented to his royal highness the Prince Regent, to offer the dutiful congratulations of this House to his Royal Highness, on the happy nuptials of her royal highness the Princess Mary, daughter of his Majesty, with his royal highness the duke of Gloucester; and to assure his Royal Highness of the sincere and heartfelt satisfaction which this House derives from a circumstance that must add so much domestic happiness to his Majesty's family."

Mr. *Ponsonby* agreed in every sentiment expressed by the right hon gentleman, both as to the high character of the illustrious individuals, and the satisfaction that must be felt by the House in congratulating them on their marriage; but he hoped it would not be considered impertinent curiosity, if he should ask, why his majesty's ministers had deviated from the usual custom of noticing, in the Speech from the throne, the marriage of one of the royal family, celebrated during the recess? He did not mention this as a matter of reproach, though it certainly was one of very censurable negligence.

The *Chancellor of the Exchequer* replied, that it had not been considered necessary to notice the marriage as a matter of information in the Speech, the House having been apprised of its intended solemnization during the last session.

The Address was agreed to *nem. con.* as were also Addresses of congratulation to the queen and to the royal couple.

ADDRESS ON THE PRINCE REGENT'S SPEECH AT THE OPENING OF THE SESSION]. Lord Valletort appeared at the bar with the report of the Address. On the motion that it be brought up,

Sir *Robert Heron* said, that the arguments which had been advanced in support of the amendment, remained yet wholly unanswered. A right hon. gentleman opposite had, indeed, made a great flourish on the last night of this debate. At one moment he appeared so taken with the amendment, that every body thought it would have had the benefit of his support. He hinted at the resignation of his office, probably making a merit of necessity, and wishing to do, with some degree of *éclat*, that which he foresaw must have been the natural consequence of that amendment being carried. At length it appeared that the right hon. gentleman's arguments, if such they could be called, were as foreign

to the subject matter of the address, as they were to the amendment. In the course of the right hon. gentleman's speech, he seemed for a time at a loss where to fix his points, until at last he struck upon the question of parliamentary reform. Then he was in his element—then he mounted upon his tripod, and agitated and filled by the inspiration of his muse, he launched into the ocean of his poetical fancy—he poured forth ensanguined clouds—orbs of day floated before his entranced vision until twilight momentarily obscured them—crowds of robbers and assassins peopled his fertile conception, and were associated with, and relieved by, reformers and hobgoblins. Of such materials was the right hon. gentleman's speech formed. In plain truth, it was evident that nothing could be urged against the strong grounds of the amendment. Its statement of grievances was not exaggerated, nor were its strong arguments refuted. Sir Robert said, he was not a man who wished to press despondency upon the people; but he could not refrain from expressing his belief, that if the government of the country persevered in the course they had of late years pursued, no man could be found so sanguine as to believe that the interest of the national debt could any longer be paid. The consequence, then, of a perseverance in this squandering system must be nothing less than a national bankruptcy. In such a state of things, what a just charge would not the people have against the House of Commons, if that House did not exercise and exhaust every possible resource that could be drawn from an extended system of economy, to avert such an evil as that to which he had alluded. An hon. member (Mr. Bankes) on the former evening, had said, that neither the debt, nor the taxes which it occasioned, were the causes of the prevailing distress, and his argument for holding this opinion was in itself most extraordinary; it was this—that during the last year seventeen millions of taxes had been taken from the backs of the people. Now the hon. member happened to be wrong in his fact as well as his deduction. The House well knew, that ministers, finding it totally impossible to collect the amount of the property tax in the current account of last year's returns, allowed the half year's arrear to stand over until the present year. This was a sort of temporary accommodation to the people, and a necessary one; but it was any thing but an extinction of

the claim. If, however, instead of being a postponement of collection, it had been, as was insinuated, an abolition of the arrear, and that this abolition produced no relief, what would it prove but that the deterioration of the country had become, from the pressure of the times, more rapid in its effect than the operation of the relief which had been extended to counteract it?—His hon. friend (Mr. Curwen) had on the last night said one thing which reduced the effect of his otherwise excellent speech—he had said that which ought not to go abroad uncontradicted, namely, that the pecuniary benevolence of all ranks out of doors, in behalf of their fellow countrymen, did not amount to more than 200,000*l.* Now he knew it to be infinitely greater, for people of every sentiment, and of all situations and descriptions had come forward, and exerted their best energies for the sufferers, indeed their philanthropic feeling was only bounded by their means. Besides the large sums publicly known, there were several private and local subscriptions, exclusive of those which consisted of distributing food, raiment, and the articles of life, to the poor, at reduced prices—together with the numerous employments afforded to the labouring classes in different parts of the country, more out of commiseration for their situation than of necessity for their work; all these most laudable efforts must have amounted to large and very extensive relief. Though this was not the time, in strict order of debate, to talk much on the subject of economy, yet he could not avoid saying a little on that point. He would first allude to the army. Now, though a reduction in this branch of the public service would throw out of employment a number of men who deserved well of their country, yet no reduction could take place without its partial accompaniment of hardship; but the fact was, that a reduction in the army could not be effected without giving up that system of foreign policy to which our ministers clung with fond affection. It could be only effected with an admission on the part of ministers, that the army was maintained for one of two purposes; either to contradict our solemn declaration, that we would not interfere in the internal policy of the nations of the continent, that we would not apply our military strength to maintain the new doctrine of legitimacy, or rather of despotism; that we would not make war against the people to keep down a spirit of freedom, and by our own acts

belie and subvert the steadfast principles of our own glorious revolution. Or, if it did not mean this, it must have been reinforced and upheld to keep down the rising indignation of the British nation, which was aroused by the enormous expenditure of that army, whose fine energies were so grossly misapplied. If the House meant to redress the bitter grievances of the people, the smallest military peace establishment that was ever maintained, would be amply sufficient for all domestic purposes; but if they did not mean to afford this redress, the largest war establishment that their hearts could wish, would in the end be found wholly and entirely insufficient to silence the voice of the country.—The next general head of retrenchment to which he would advert, was the abolition of sinecures, useless places, and pensions. Here again all the argument was on one side; for when you hinted the necessity of touching those delightful annuities, you were at once met by the bugbear of revolution. Did gentlemen, for a moment suppose, that those offices were conferred for real merit, or that they were any thing else than payments for past devotion, and retainers for future? The civil list was another branch of economy, to which he would direct the attention of the House. It had been well said, in the opening speech for the address, that the eyes of the people were now fixed on the proceedings of that House, and towards no proceeding were they more strongly directed than to those which animadverted upon the civil list, particularly to that part of it which related to the royal expenditure, than which there could be nothing more objectionable. The speech from the throne last session, pointedly pledged the government to a rigid adherence to economy and yet immediately after this pledge, to the disappointment and astonishment of the country, the civil list was found with an addition of 260,000*l.* to its already enormous charges, and this accumulated expenditure was incurred for the support of an extended household, with duplicate offices attached to it, to an extent that never before existed. There was nothing which produced so much pain and indignation, as the fact, that at a period when every sovereign in Europe was advised to diminish his expenditure, the Prince Regent of England, who, least of all, required that extension of pageantry should have been advised to adopt it. Another point to which he would glance, was that unfortunate,

narrow, and selfish policy, of endeavouring to obtain a monopoly for our commerce. He was always of opinion that trade should be free and unshackled: if it had been so, the mercantile world would not have now to complain of the paralyzing effects of continental system of exclusion, which was, in fact, but the counterpart of the absurd policy that this country had been the first to act upon.—These were his opinions, and as an independent member of parliament he felt it to be his duty to express them, and to confess his melancholy impression as to the approaching condition of the country, if some immediate and radical alteration in the conduct of ministers, did not take place. It was in vain for them to say that the evil was transitory; there was nothing in the complexion of the times to show that it was of this temporary character, or, what was still more foreboding, that they had any serious intention of departing from their fatal rule of action. (“When we,” continued sir Robert), “impress upon them the necessity of economy and retrenchment, the ministers answer, ‘Oh! certainly, but leave it to us.’” Well, it was left with them, and what was the result? Why, that they did any thing but fulfil the promise they had made. What confidence, then, could be placed in a set of men, who, with retrenchment in their mouths, commenced, as the very first thing, to make an increase of offices, and never departed from their course until compelled to turn round by a vote of that House? What further assurance was there now that they would keep their promises better than they had last year observed them? The only change that they had adopted was the accession to administration of the right hon. gentleman opposite (Mr. Canning), who was in his own person one of the most flagrant and shameful instances of the profligate and wasteful profusion of his majesty’s ministers—he who accepted an enormous sinecure situation as ambassador to the kingdom of Portugal, to represent his sovereign in a court where there was no resident king—to figure away at Lisbon, although the king of Portugal was then, as he has been ever since, a resident in his Brazilian territory. Was such a place-making system in conformity with the pledge of retrenchment? was it not rather in open violation of any such intention.

The report of the address was then brought up and agreed to.

HOUSE OF COMMONS.

Saturday, February 1.

TITHES.] Mr. *Saville*, seeing the right hon. the chancellor of the exchequer in his place, adverted to the proceedings which were had last session, touching the general laws relating to the present mode of collecting tithes, and wished to know whether it was the right hon. gentleman's intention to bring this subject again under the consideration of parliament during this session. The hon. gentleman said, that being prevented from attendance in the House during the discussions alluded to, he was not precisely aware in what situation this important question stood, and he was therefore desirous of knowing the intentions of the right hon. gentleman upon the subject.

The *Chancellor of the Exchequer* referred the hon. gentleman to the Journals of the House for an account of the state of the proceedings upon this matter at the close of the last session. The committee, to whom the subject had been referred, had made a report and it was probable that that report might be brought under the consideration of the House this session.

Mr. *Saville* said, that as the right hon. gentleman could give no other assurance than a probability, he did not think the matter ought to rest upon such uncertain grounds; and, therefore, unless some member, more able than himself, would have the goodness to bring the subject forward, he gave notice, that soon after the Easter recess, he should feel it to be his duty to bring this interesting question forward. He could not forbear mentioning, that in that part of the country where his own property was situated, there was a lay and a clerical proprietor of tithes, each of whom had a claim upon the land occupier; in consequence of which, his property was scarcely worth holding; and, considering the extent of this evil in various parts of the country, it was of vital importance that the subject should be speedily brought under the attention of parliament.

HOUSE OF LORDS.

Monday, February 3.

MR. HUNT'S PETITION.] The Earl of Thanet, in rising to present a petition from Mr. Hunt, said, that he was not sufficiently conversant with the orders of

the House, to judge whether the petition could be received or not. Having been applied to, however, he felt it to be his duty to submit it to their lordships.

The petition was then read as follows:

"The petition of Henry Hunt, of Middleton Cottage in the county of Southampton,

"Humbly sheweth; That your petitioner, being ready to prove at the bar of your honourable House, that there has been carried on a conspiracy against his character, and eventually aimed at his life, by certain persons, receiving salaries out of the public money, and acting in their public capacity, and expending for this vile purpose, a portion of the taxes; and, there being, as appears to him, no mode of his obtaining a chance of security, other than those which may be afforded him by parliament, he humbly sues to your honourable House to yield him your protection.

"That your petitioner has always been a loyal and faithful subject, and a sincere and zealous friend of his country. That at a time, during the first war against France, when there were great apprehensions of invasion, and when circular letters were sent round to farmers and others to ascertain what sort and degree of aid each would be willing to afford to the government in case of such emergency, your petitioner, who was then a farmer in Wiltshire, did not, as others did, make an offer of a small part of his moveable property, but that, really believing his country to be in danger, he, in a letter to the lord lieutenant, the earl of Pembroke, freely offered his all, consisting of several thousands of sheep, a large stock of horned cattle, upwards of twenty horses, seven or eight waggons and carts, with able and active drivers, several hundreds of quarters of corn and grain, and his own person besides, all to be at the entire disposal of the lord lieutenant; and this your petitioner did without any reserved claim to compensation, it being a principle deeply rooted in his heart, that all property and even life itself, ought to be considered as nothing when put in competition with the safety and honour of our country. And your petitioner further begs leave to state to your honourable House, that at a subsequent period, namely, in the year 1803, when an invasion of the country was again apprehended, and when it was proposed to call out volunteers to serve within certain limits of their houses, your petitioner called around him the people of the

village of Enford, in which he lived, and that all the men in that parish (with the exception of three) capable of bearing arms, amounting to more than two hundred in number, immediately enrolled themselves and offered to serve, not only within the district, but in any part of the kingdom where an enemy might land, or be expected to land, and this offer was by your petitioner transmitted to lord Pembroke, who expressed to your petitioner his great satisfaction at the said offer, and informed him, that he would make a point of communicating the same to his majesty's ministers.

"That your petitioner, still actuated by a sincere desire to see his country free and happy and holding a high character in the world, has lately been using his humble endeavours to assist peaceably and legally in promoting applications to parliament for a reform in your honourable House, that measure appearing to your petitioner to be the only effectual remedy for the great and notorious evils, under which the country now groans, and for which evils, as no one attempts to deny their existence, so no one, as far as your petitioner has heard, has attempted to suggest any other remedy.

"That your petitioner, in pursuit of this constitutional, and, as he hopes and believes, laudable object, (an object for which, if need be, he is resolved to risk his life against unlawful violence) lately took part in a public meeting of the city of Bristol, of which he is a freeholder; and that though a large body of regular troops and of yeomanry cavalry were placed in a menacing attitude near the place of our meeting, the meeting was conducted and concluded in the most peaceable and orderly manner, and the result of it was a petition to your honourable House voluntarily signed by upwards of twenty thousand men, which petition has been presented to, and received by, your honourable House.

"That your petitioner, who had met with every demonstration of public goodwill and approbation in the said city, was surprised to see in the public newspapers, an account of a boy having been sent to gaol by certain police officers and justices for having pulled down a posting bill, which alleged your petitioner to have been hissed out of the city of Bristol, and containing other gross falsehoods and infamous calumnies on the character of your petitioner, calculated to excite great hatred

against your petitioner, and to prepare the way for his ruin and destruction.

"That your petitioner, who trusts that he has himself always acted an open and manly part, and who has never been so base as to make an attack upon any one, who had not the fair means of defence, feeling indignant at this act of partiality and oppression, came to London with a view of investigating the matter, and this investigation having taken place, he now alleges to your honourable House, that the aforesaid posting bills, containing the infamous calumnies aforesaid, were printed by J. Downes, who is the printer to the police; that the bill-sticker received the bills from the said Downes, who paid him for sticking them up; that the bill-sticker was told by the said Downes that there would be somebody to watch him to see that he stuck them up; that police officers were set to watch to prevent the said bills from being pulled down; that some of these bills were carried to the police office at Hatton Garden, and there kept by the officers, to be produced in proof against persons who should be taken up for pulling them down; that Thomas Dugood was seized, sent to gaol, kept on bread and water, and made to lie on the bare boards from the tenth to the twenty-second of January, 1817, when he was taken out with about fifty other persons, tied to a long rope or cable, and marched to Hicks's Hall, where he was let loose, and that his only offence was pulling down one of these bills; that a copy of Dugood's commitment was refused to your petitioner; that your petitioner was intentionally directed to a wrong prison to see the boy Dugood; that the magistrate, William Marmaduke Sellon, who had committed Dugood, denied repeatedly that he knew any thing of the matter, and positively asserted that Dugood had been committed by another magistrate, a Mr. Turton, who Mr. Sellon said, was at his house very ill, and not likely to come to the office for some time.

"That your honourable House is besought by your petitioner, to bear in mind the recently-exposed atrocious conspiracies carried on by officers of the police against the lives of innocent men, and your petitioner is confident that your hon. House will, in these transactions, see the clear proofs of a foul conspiracy against the character and life of your petitioner, carried on by persons in the public employ, appointed by the Crown, and removable at its pleasure, and that this conspiracy

has been also carried on by the means of public money.

"And, therefore, as the only mode of doing justice to the petitioner and to the public in a case of such singular atrocity, your petitioner prays your honourable House that he may be permitted to prove (as he is ready to do) all and singular the aforesaid allegations at the bar of your honourable House, and that if your honourable House shall find the allegations to be true, you will be pleased to address his Royal Highness to cause the aforesaid magistrate to be dismissed from his office. And your Petitioner shall ever pray."

The *Lord Chancellor* said, that, anxious as their lordships must be to listen to, and redress, any grievance which might be stated to them, still, he was sure, they would see the propriety of not receiving petitions, drawn up like the present, which called on them to exercise a jurisdiction that did not belong to the House. The petition, in fact, demanded that they should interfere in a case which was open to judicial proceedings; that they should assume an original jurisdiction, contrary to the principles of the constitution, which said, that they should not exercise such a power.

The petition was rejected; as was also a petition from Thomas Dugood, the boy alluded to in Mr. Hunts' petition. [See the proceedings of the Commons].

PRINCE REGENT'S MESSAGE RESPECTING CERTAIN DANGEROUS COMBINATIONS.] Viscount Sidmouth presented the following Message from the Prince Regent:

"GEORGE P. R.

"His royal highness the Prince Regent, acting in the name and on the behalf of his Majesty, has given orders that there be laid before the House of Lords, Papers containing information respecting certain practices, meetings, and combinations in the metropolis, and in different parts of the kingdom, evidently calculated to endanger the public tranquillity, to alienate the affections of his majesty's subjects from his majesty's person and government, and to bring into hatred and contempt the whole system of our laws and constitution. His Royal Highness recommends to the House of Commons to take these papers into their immediate and serious consideration.

"GEORGE P. R."

The Message was ordered to be taken into consideration to-morrow.

VOTE OF THANKS TO LORD EXMOUTH FOR THE ATTACK ON ALGIERS.] The order of the day being read,

Lord Melville rose to move the thanks of the House to lord Exmouth, and the officers and crews of the ships employed in the attack on Algiers. He said, he did not intend to make any statement, as to the motives by which the executive government was actuated in resolving upon this enterprise. Their lordships would recollect, that in the month of June, lord Exmouth, returned from the Mediterranean with the fleet under his command, and, as usual at the close of a war, that fleet was dismantled, and the crews paid off and disbanded. When the expedition against Algiers was determined upon, it became necessary to collect men from different guardships, and to call for the services of volunteers for this particular enterprise. He mentioned that circumstance, because those who knew the value which naval officers attached to a crew long accustomed to act together, would be the better enabled to appreciate the exertions and skill of lord Exmouth, and the difficulties he had to contend with, in rendering crews collected as he had stated efficient for his purpose. To that object lord Exmouth devoted his daily, his hourly attention, and accomplished it in a manner which reflected the highest credit on his judgment and ability. His lordship then proceeded with his squadron on the appointed service. He proposed certain terms to the dey of Algiers, according to his instructions; and no satisfactory reply being given, the ships took their positions for commencing the attack on the city. It was due to lord Exmouth here to state a circumstance not generally known. An opinion had prevailed in many quarters, that accident and the elements had been very favourable to lord Exmouth in the execution of the enterprise; but the fact was, that when government had determined on the undertaking, many persons, and among them several naval officers, were of opinion, that the defences were so strong that the attack could not succeed. Not so lord Exmouth, though he was perfectly aware of the difficulties with which he had to contend. He had himself formed the plan of his operations, and gave it as his opinion that the object might be accomplished; not from any idle confidence, but founded on the reasons which he stated, and the plan which he had formed. He had in this

plan settled the position which every ship was to take, and when the dispatches came, he (lord Melville) had noticed, that the positions actually taken were exactly those which had been before settled. The whole scheme of attack was before prepared by him, and exactly followed; and the whole transaction reflected the highest credit on the skill and judgment of lord Exmouth as a naval officer, as well as upon his perseverance and gallantry. Their lordships knew the result. The attack began at two o'clock in the afternoon, and lasted for several hours before the enterprise was concluded. The circumstances were such as demanded the utmost exertions of both officers and men. The contest was not less arduous than in the greatest naval actions that had taken place since the commencement of the war, and the loss was proportionally more severe than in any of those actions. The attack was maintained with the most determined perseverance. Every officer and man was actuated, not merely by the high gallantry characteristic of British seamen, but by the greatest enthusiasm in the service; and, after a long and violent cannonade, the enemy was driven from his batteries, his naval force, with the exception of two boats, totally destroyed, his defences ruined, and the day was compelled to yield to the proposed terms. Another circumstance which ought not to be passed over was, the co-operation and effectual assistance afforded in this enterprise by the ships of the king of the Netherlands, under the command of admiral Capellen. A long period had elapsed, during which the flag of the Netherlands had been almost excluded from the European seas; and it must have afforded the highest gratification to the officers and crews of both squadrons, to see the flags of Great-Britain and the Netherlands acting together. The flag of the Netherlands had long been distinguished in Europe, and their officers and seamen had acquired a high name for skill and valour. In this enterprise that flag again appeared, and a noble emulation prevailed between the two squadrons, as to which of them should most strenuously exert itself to accomplish the common object. He therefore had no doubt but their lordships would also concur in a vote of thanks to the admiral, officers, and crews of the Netherlands squadron. His lordship then moved the thanks of the House to lord Exmouth, for his able

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and gallant conduct, in the successful and decisive attack on Algiers.

Lord Torrington, as a naval officer, could not suffer this opportunity to pass without bearing his testimony to the skill and gallantry of lord Exmouth. A more zealous, judicious, and gallant naval officer, the country did not possess. He himself had been for some time under the noble and gallant lord's command, and on every occasion that called for their exertion, lord Exmouth had never failed to display the highest qualities of a naval officer. In the East Indies he had observed, that lord Exmouth's attention had extended to the preservation of the naval stores from improper waste, so that an improper expenditure of the public money was prevented, the ships were always well supplied, and kept in a state always ready for action. He never gave a vote in that House with more satisfaction than he did in favour of the present motion.

The motion was agreed to, *nem. dis.*, as was also a vote of thanks to the officers, seamen, and marines employed in the expedition; and also to admiral Capellen, and the officers and crews under his command.

HOUSE OF COMMONS.

Monday, February 3.

PETITIONS RELATING TO REFORM, &c.] Lord A. Hamilton rose to present two petitions upon this subject, one from the inhabitants of Kirkintilloch, the other from the borough of Rutherglen. The noble lord observed, that the peculiar circumstances under which he then addressed the House, required that he should say a few words before he moved that the petitions should be brought up. Short as was the space of time since parliament had assembled, it had yet called forth from the opposite benches, a strong and decided opinion against every species of reform. This expression was certainly elicited by petitions of a different tenour from those which he had to present. The petitions with which he was entrusted neither desired annual parliaments, nor universal suffrage; he hoped, therefore, they would not be identified with any such productions. Both these petitions lamented the exorbitant expenditure of the public money; they stated the harassing situation of the petitioners, whose distress was so great that no exertion of labour or industry within their reach could supply them

with the necessities of life. They concluded by praying for a reform in parliament, by which a fairer representation of the people might be had. They did not presume to suggest any plan, but they warmly hoped the House would adopt such a one as appeared calculated to redress the grievance complained of. In presenting these petitions from Scotland, he felt it his duty to call the attention of the House to the state of representation in that country. Whatever opinion prevailed in England on the subject of an alteration in its representation, there could, he presumed, be none as to the imperative necessity of such a change in the representation of Scotland, in a rational and practical sense. What would the House think when they were informed, that a man in Scotland might possess 10,000*l.* a year in property or in land, without being entitled to vote for a member of parliament? The petitioners asked for an inquiry commensurate with the misery they endured. He must say, therefore, without any disrespect to other parts of the united empire, that petitions from that country were entitled to the peculiar consideration of that House.

The petitions were then read, and ordered to lie on the table.

VOTE OF THANKS TO LORD EXMOUTH FOR THE ATTACK ON ALGIERS]. Lord *Castlereagh* said, he rose in pursuance of a notice which had been given by his right hon. friend during his absence, to call the attention of parliament to the late brilliant achievements of his Majesty's fleet before Algiers. During the last session, when the thanks of that House were given to several of our gallant officers for their conduct in the late war, he entertained an earnest hope that a long course of years would have elapsed, before it would be again necessary to perform that ceremony. But though that hope had been partially frustrated, it was at least satisfactory to reflect, that the interval of war which actually succeeded was of short duration, that it arose out of circumstances intimately connected with our honour as a nation; and that it was no less a war of justice and humanity, than one which causes had rendered necessary in defence of our own rights, as well as those of every other country. With respect to the splendid character of the transaction, there could be but one opinion, either in that House or throughout Europe, although perhaps in one point of view the

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enemy against whom we fought could not rank in the same scale of importance with other states. There never was a military transaction, the character of which, in all its bearings, redounded more to the honour of every individual concerned in it; for though the enemy might be inferior in scientific excellence, and in the knowledge of modern warfare, yet sufficient proof was given, during the battle, that the arm of this country was never turned against a foe more capable of opposing an obstinate and fierce resistance. That fact was proved by the loss we sustained, which, compared with the force employed, exceeded in proportion that of the greatest victories this country had achieved. He would not waste the time of the House, and detract from the glory of the action, by any details on his part, after the clear and explicit view given of it by the illustrious commander himself. But there was one feature connected with the transaction, which it would be injustice in him to omit. Before the expedition was undertaken, they had heard much in that House of the facility with which an attack might be made upon Algiers, and some persons of scientific authority had stated, that even a single line of battle ship would be sufficient. Other authorities, equally entitled to respect, declared, that it would not only be difficult, but so difficult, as to make it a matter of prudent consideration whether any thing should be undertaken against such formidable batteries. It was a duty he owed to lord Exmouth to say, that he stated his scientific opinion upon the subject to his noble friend at the head of the admiralty, and that he steered a middle course between the two extreme points, thus marking his great ability. He said he considered it a service which would be attended with a considerable degree of risk and loss, but he felt confident he could perform it; at the same time pointing out precisely the very position in which he meant to place his own ship in particular, as well as the positions of all the rest of his fleet. He should not attempt to add any thing more to so glorious an action, both as to the principles upon which it was undertaken, and the mode of carrying it into execution, but only observe, that he intended to extend the thanks to the officers and seamen of their brave ally the king of the Netherlands, whose co-operation had been so beneficial. He was sure the House would feel a peculiar gratification in seeing the arms of Holland united

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with ours for the general liberties of mankind, and be anxious to mark their sense of the services performed by the Dutch admiral, and his brave officers and sailors. The noble lord then moved, "That the thanks of this House be given to admiral lord viscount Exmouth, knight grand cross of the most honourable military order of the bath, for his able and gallant conduct in the successful and decisive attack on the batteries and naval force of Algiers on the 27th August 1816."

Mr. *Law* rose to second the motion. He felt himself at all times incapable of doing justice to such a subject, for which no eulogies could be too great; yet he enjoyed such perfect satisfaction in contemplating the enterprise in question, which, considered under all its circumstances, reflected so much glory on all who were concerned in it, that he could not resist expressing what he thought of it. He had always considered lord Exmouth as possessing peculiar good fortune. So great were his professional abilities, that, whatever he undertook, he was sure to succeed in. Even from the commencement of that series of great operations which arose out of the revolutionary war, success had uniformly marked his long career. With respect to the late brilliant enterprise, too much could not be said of it, and it was gratifying to know that the feelings of the House and the country were the same. It was not, as had been falsely and seditiously asserted in some of the petitions thrown on the table of that House, that the feelings of the people and their representatives were at variance. On the contrary, the late expedition proved, that the feelings of the people went fully with those of the House of Commons; for no sooner was the expedition resolved on, than the fleet was manned, not by sailors who had seen long and arduous service, but by persons who voluntarily offered themselves for the noble enterprise, convinced of the justice of the great cause for which they were about to fight. The assistance which the king of the Netherlands had given on the occasion could not be too highly applauded. His noble friend had justly observed, that the people of this country were not aware of the difficulty of the undertaking, and that many doubts were entertained of its succeeding. But he must observe, that public opinion was on such occasions a most severe tribunal; and he must say, in

justice to lord Exmouth, that that man must have a mind framed in a most extraordinary mould, who would venture himself in a service so pregnant with danger, and yet pledge himself for the success of it: for had he failed, what horror must have arisen from the knowledge that all our brave combatants who might have fallen into the power of the enemy must have remained for life in the most infamous captivity, without the hope or chance of regaining their liberty. Yet lord Exmouth had duly calculated all the dangers to which he was exposed, and knowing the character of those by whom he was surrounded, he had ventured on a mode of attack perfectly novel in the naval history of this country. He had placed his ship within half pistol-shot of the tremendous batteries, venturing his life and venturing his fleet, but knowing that no other mode of attack would give him the smallest chance of the complete success with which the bold enterprise was ultimately crowned. If any one circumstance could be wished for which could give a higher zest to the transaction, it was that which took place in the unanimity which prevailed between two great nations, in the field of battle, a place where the unanimity of great nations could be best cemented. If after this splendid attack any circumstance could have added to the glory of the noble admiral's plan, it was his manner of negotiating when the battle was over. It was a matter of peculiar satisfaction to find, that on that occasion the gallant admiral was capable of infusing so much of the firm character of the sailor into the character of the negotiator. With the spirit of the former he dictated unconditional submission, and with the coolness of the latter he showed that he was as well calculated to ask satisfaction for an injury, as to demand submission for an insult.

Lord *Cochrane* felt himself called upon to make a few observations upon what had fallen from the noble lord. When the question of an attack upon Algiers was before that House in another shape, he stated it as his opinion, that two British sail of the line would be sufficient to compel those barbarians to submit to any terms of peace which might be proposed; but he had never said that two sail would be able to cope with their batteries; for he knew too well what batteries could do against ships, when strongly manned, or even when imperfectly manned, to advance such an assertion. He spoke only in reference

to the situation of Algiers, upon the border of the sea, and to the effect which would be produced upon that or any other city so placed, and inhabited by a numerous population of men, women and children, if cannonaded but for one hour. No one was better acquainted than himself with the power possessed by batteries over a fleet; and he would say, that the conduct of lord Exmouth and the fleet deserved all the praise which that House could bestow. The attack was nobly achieved, in a way that a British fleet always performed such services. He could only state, that the vote had his most cordial concurrence, for he never knew or had heard of any thing more gallant than the manner in which lord Exmouth laid his ships along side the Algerine batteries.

Mr. Money said, that, as a very new member of the House, he felt some diffidence in obtruding himself on their attention, but he could not refrain from paying his humble tribute of admiration to the British navy, the pride and bulwark of this country; besides which, the high respect he entertained for lord Exmouth would not allow him to give a silent vote. The thanks proposed were for a victory, the shouts of joy for which had been re-echoed through all the nations of Europe. The noble lord, as had been already observed had continued a career of success from the beginning to the end of the war; he had had the felicity of striking the first and the last blow. Scarcely had a year passed since the commencement of hostilities with France, when the enemy, loudly boasting that, inspired by republican freedom, they would humble our pride and lower our flag, in which lord Exmouth had not had an opportunity of chastising them for their vain glorious insolence. The hon. gentleman proceeded to notice the different actions in which the noble lord had been engaged during the war, till he came to the period of his command in India. He alluded to the vigilance with which he chased the enemy from our extensive shores, and gave such powerful protection to our commerce in those seas, that property to the amount of millions had been saved, which would have otherwise fallen into their hands. Reverting to the results of the expedition to Algiers, he descanted on the happiness conferred on the unfortunate persons restored to liberty, and the benefits which all European nations must derive from the protection of our flag, which now waved

triumphant in the Mediterranean. The humanity which lord Exmouth had shown during and after the action, was not the least noble trait in his character. He concluded with hoping that the thanks of the House would be followed by some more permanent testimony to the merits of that distinguished man.

The resolution was agreed to *nem. con.*, as were also the following: "1. That the thanks of this House be given to rear admiral sir David Milne, k. b. and to the several captains and officers of the fleet employed on that memorable occasion. 2. That this House doth acknowledge and highly approve the services of the seamen and royal marines serving in the fleet before Algiers on the 27th August 1816. 3. That the thanks of this House be given to vice admiral baron Van de Cappellen, and the naval forces of his majesty the king of the Netherlands under the vice admiral's command, for their cordial assistance and co-operation in the attack on Algiers on the 27th of August 1816."

SPANISH PATRIOTS.] Mr. Brougham inquired, whether the noble lord opposite could communicate any information to the House respecting the fate of Correa, and those other unfortunate Spanish Patriots who were lingering in prison? He presumed his majesty's government had represented their case to his most Catholic majesty.

Lord Castlereagh said, that communications had taken place with the Spanish government, but there was no particular intelligence which he had to lay before the House.

Mr. Brougham asked whether the noble lord would have any objection to lay the correspondence that had passed upon the table.

Lord Castlereagh replied, that it might be imprudent, and even injurious to the individuals themselves, if the correspondence were disclosed.

Mr. Brougham said, that a hint from the noble lord on this subject would be enough to stop his mouth, as the noble lord must certainly be the best judge as to what injury might result from making any communication on this business; but from the noble lord's silence, he supposed that he must understand that government had done all in the matter that they could, though not backed by a vote of parliament, but that all their endeavours had completely failed.

PETITION OF THOMAS DUGOOD.] Lord Folkestone said, that he held in his hand a petition from an unfortunate youth, complaining of a most serious violation of the liberty of the subject. He had that morning had from the petitioner a most intelligent statement of his sufferings—that he had been, on the warrant of a police magistrate, committed to the New Prison of Clerkenwell—had been there immured in a dismal dungeon for twelve days, with no other subsistence than bread and water. The noble lord said, he had also been enabled to obtain a view of the warrant of his committal, which alleged that he was imprisoned as a vagrant, without any visible means of support. In contradiction, the petitioner stated, that at the very moment he was arrested, he had property to the amount of three shillings and sixpence, in money, in his pocket—that he had resided for above three months in the lodgings he then occupied, and obtained an honest livelihood by the sale of religious and moral tracts. Indeed, the boy had written from the prison to his landlady, for the purpose of assuring her, that he had not absconded from his lodgings, accompanied with a request that she would bring him some money of his which remained at her house. On the last day of the sessions the boy was brought up to Hicks's-hall, with twelve other persons, tied together with a rope, and was there discharged. Such a statement would call for the most serious and prompt investigation at all times; but when it was recollected, that during the last year the most nefarious crimes were brought home to police officers, and strong suspicions to police magistrates, and that no notice appeared to be taken of that conduct by the department of state, under whose superintendence these police magistrates were, he sincerely trusted, that the House would feel the present a case of an enormous invasion of the right of the subject, that loudly demanded its interference.—The following petition was then read:

“To the honourable the Commons of the united kingdom of Great Britain and Ireland, in parliament assembled. The petition of Thomas Dugood of the parish of St. Paul, Covent-garden, in the city of Westminster,

“Humbly sheweth; That your petitioner is a parentless and friendless boy, seventeen years of age, who, until lately

seized by two police officers, and sent to prison by the police, obtained the honest means of living by the sale of religious and moral tracts, which he used to purchase of Mr. Collins of Paternoster-row.—That your petitioner has, for more than four months last past, lodged, and he still lodges, at the house of Keeran Shields, who lives at No. 13, Gee's-court, Oxford-street, and who is a carter to Mr. White of Mortimer-street, and who is also a watchman in Marybone parish.—That your petitioner has never in his life lived as a vagrant, but has always had a settled home, has always pursued an honest and visible means of getting his living, has always been, and is ready to prove that he always has been an industrious, a peaceable, sober, honest, and orderly person.—That, on the 10th of January 1817, your petitioner, for having pulled down a posting bill, printed by J. Downes, who is the printer to the police, and which bill was intituled ‘Mr. Hunt hissed out of the city of Bristol,’ was committed by Mr. Sellon to the New Prison, Clerkenwell, where he was kept on bread and water, and compelled to lie on the bare boards until the twenty-second of the same month, when he was tied, with about fifty others, to a long rope or cable, and marched to Hicks's-hall, and there let loose.—That your petitioner has often heard it said, that the law affords protection to the poor as well as the rich, and that, if unable to obtain redress any where else, every subject of his majesty has the road of petition open to him: therefore your petitioner, being unable to obtain redress in any other manner for the grievous wrongs done him by the magistrate of the police, most humbly implores your honourable House to afford him protection and redress, and to that end he prays your honourable House to permit him to prove at the bar of your honourable House all and several the allegations contained in this his most humble petition. And your petitioner will ever pray.”

Lord Folkestone then moved, that a committee be appointed to inquire into the matter of the said petition, and report their opinion thereon to the House.

Mr. *Addington* assured the House, that he knew nothing of the case described by the noble mover and brought forward in the petition, than what he had read in the public papers. None of the facts or allegations had come to him through any other channel. He had seen the exami-

nation of the boy stated in a report from one of the police offices, and had afterwards read, that one or two individuals who had taken up his cause had said, that he meant first to have laid the case before parliament, but that upon subsequent consideration he had altered his mind, and meant to make a representation on the subject to the secretary of state for the home department. In consequence of this intimation he had expected such a representation as would have laid the facts before him in such a shape as would have warranted inquiry. No communication, however, had been made to the office of the home secretary; if there had, he could assure the House that every attention would have been paid to it, and that the fullest and strictest investigation of all the circumstances would have taken place in the most prompt and zealous manner.

Mr. Bennet was surprised that the right hon. gentleman had not made one observation about the motion for a committee. Was he against it? [No, no! from several parts of the House.] He could not help, since he was up, making one remark on the place where this poor boy was confined. He thought it utterly disgraceful to the country. No gentleman would keep his hounds in such a wretched place, and with such wretched accommodations, as these poor creatures were confined to.

The Attorney General would ask the House whether it was proper that this case should be examined in parliament in the first instance, or whether it would not be better to adopt a different course, and apply to a court of law for a legal remedy? The petition complained of false imprisonment—of an illegal act. The petitioner stated, that “he had often heard it said, that the law afforded protection to the poor as well as the rich;” and when he had heard it so said, he had heard what was in this country practically true. Let, therefore, a legal remedy be first sought, and if unable to obtain redress in the regular manner, let him then exercise his right to petition the legislature. If this petition was received, the application of no person who complained, in similar circumstances, of personal restraint, could be refused, and the functions of parliament would thus be confounded with those of courts of law. Objections might be started against bringing an action for false imprisonment in this case, but they did not appear to him so strong as to warrant a departure from the usual course. The

boy, it might be said, was young, but could he not sue by his guardians? He was poor, then let him sue *in forma pauperis*. It appeared to him that it would be the better mode of proceeding to bring the subject of this petition before a court of law.

Mr. Addington submitted to the noble mover, whether it would not be more correct and becoming to postpone his motion for a committee for a day or two, in order to allow time to inquire into the circumstances. If the noble lord did so, he would pledge himself to enter fully into the investigation, and inform the House of the result.

Lord Folkestone said, he had no objection to postpone the appointment of a committee till a previous investigation of the circumstances had taken place by the home secretary, provided no delay intervened. Thursday was then suggested as the time when information might be expected, and his lordship consented to postpone the appointment of the committee till that day.

Lord Castlereagh would not consent to consider the question for a committee as carried, but suggested that the regular course would be for the noble lord to withdraw his motion, and bring it forward afterwards, as he should see meet.

Lord Folkestone said, there was only one alternative in which he would consent to withdraw his motion, and that was in case the learned attorney-general, who had recommended the petitioner to apply for a legal remedy and to sue *in forma pauperis*, would consent to direct the proper steps for obtaining redress, and pledge himself to be his advocate. [Hear, hear! and a laugh]. On no other condition could he agree to the course recommended. This was a case peculiarly demanding the interference of parliament. The petitioner was poor, and could not gain admission to the courts of justice in such circumstances as would excite attention to his sufferings, or obtain legal advice. There was another reason why it should be considered by parliament. The act complained of was done, and the boy was committed, not by the ordinary magistrates of the country, but by police magistrates, almost new to our constitution, appointed by the crown, paid by the crown, and removeable at the pleasure of the crown. The act for which the boy was committed was one connected with political principles. The conduct of these

magistrates should therefore be narrowly watched.

The *Attorney General* observed, that he was placed in a situation by the noble lord that no member of parliament was ever placed in before, if it were necessary for him to make the pledge required, in having thus within the walls of the House a retainer proposed to him as a counsel in one of the courts of justice. In his capacity of law officer of the crown he could not be the advocate of the petitioner, and in any other capacity he could not be required to support his cause by any parliamentary application. He could say, however, that if the course he had recommended were followed, there would be no want of legal advice and assistance. If it were stated to the court that he applied to sue *in forma pauperis*, it would not be difficult to find counsel at the British bar, the most eminent and learned in their profession, who would plead his cause, with as much zeal, perseverance, and ability, as if he were the richest subject in the kingdom. The noble lord, he was convinced, would, upon mature deliberation, withdraw his alternative, and place the cause of the petitioner in any hands sooner than his.

Mr. *Brougham* said, that though his hon. and learned friend could not be called upon, as law officer of the crown, in the present stage of the proceeding, to be counsel in supporting the cause of the petitioner, he might subsequently be required to be so by a vote of the House. He did not wish to prejudice the case, ignorant as he was of the circumstances. The *prima facie* view he allowed was bad, and demanded the most serious consideration and the most minute inquiry. It was a matter of the utmost importance to the country and the individuals implicated. The only question at present was, could there be any inconvenience in letting the appointment of the committee lie over for a few days, till the promised investigation was made by the home department; it being understood, that in the event of the result being unsatisfactory, the fullest inquiry would take place by the committee? There was a standing committee of grievances to which the petition might be referred.

Lord *A. Hamilton* little expected, in the present state of the country, and under the pressure of distress which afflicted such numbers of the people, to hear of a warrant of commitment, recording as cri-

minality the want of visible means of subsistence. Unhappily, from his own knowledge, and he believed every member who heard him could make the same declaration, there were at this moment thousands of distressed individuals without visible means of subsistence, whose misery neither was nor could be confounded with crime. The statement, in the present case, however, positively denied the fact, on which the warrant was issued.

Mr. *Wrottesley* saw no ground for receiving this petition; if they did receive it, they would be inquiring into the conduct of a magistrate, against whom the petitioner had his proper remedy elsewhere, and the boy did not seem to be without friends to assist him in his course. If this mode of seeking redress were to be allowed on every false arrest, a petitioner, without even the formality of an oath, could call upon the House to decide upon the merits of his case. The complainant had his remedy in due course of law. His claim by petition ought to be his last, not his first resource.

Sir *F. Burdett* was of opinion that the boy could not procure a real effectual remedy by the legal course recommended. There was a considerable difficulty in suing *in forma pauperis*. The petitioner must have counsel to sign an application stating that he was a proper person to sue in that capacity; and it would not probably be easy to find a counsel who would expose himself to suspicion by such a transaction, considering he would thereby be acting against government. He could call the boy's commitment nothing else than an act of the government. The real cause of it was for pulling down a hand-bill, prepared, as he was informed, and posted up by the police itself, against an individual obnoxious to government. Another difficulty in the way of suing *in forma pauperis* was this—that the boy, although he had not means to bring an action in any other capacity, might still have so much property as would deprive him of all title to such a mode of obtaining redress. The question involved in this petition was peculiarly fit for parliamentary consideration, as it affected the liberty of the subject. Although such were his ideas, he would advise the noble lord to wait a few days till the promised investigation took place. If, however, the noble lord pressed his motion for the committee at present, he would support it; as he thought the principle attempted to be laid

down was wrong, that because redress of a grievance could be obtained elsewhere, therefore the House should not be applied to.

The *Attorney General* said, that there were scores of men at the British bar who would do their duty without any regard to the political opinions of those whose interests they were intrusted with.

Lord *Folkestone* would not consent to withdraw his motion, unless he understood that it would appear on the journals of the House.

The *Speaker* informed the noble lord, that this and every other motion was entered on the journals of the House, whatever fate attended it.

Lord *Cochran* stated, that the bills pulled down purported to have been printed by Downes, printer to the police offices; that they had been issued under the direction of the magistrates, and that officers had attended the posting up of them, and were afterwards stationed to watch whether any person would tear them down or deface them, that the person so offending might be dragged before the magistrates, to be treated by them as they thought proper. He felt that unless the subject was examined by a committee, no certain knowledge of the circumstances could be collected; for police officers, and others, might prevaricate and conceal the facts, which they could never venture to do before the House or a committee. He admired the dexterity of those who now argued against having the subject submitted to the House of Commons before it received the decision of a court of justice, remembering that the very same persons, not long since, argued against the interference of the House in cases on which a court of justice had already determined. By such reasoning the House would be precluded altogether from exercising any control over judicial concerns.

Mr. *Ponsonby* expressed a wish that the noble lord would withdraw his motion till the promised report was made by the right hon. secretary. He would not be prevented from bringing it forward again, should the result be unsatisfactory. The fullest investigation had been promised, and the noble lord should allow time for its being made. If he would not consent to withdraw his motion, he might move as an amendment, that the consideration of it be deferred till the report of his majesty's minister be received. The matter was of the greatest importance. Justice must

be done to all parties. Even if a verdict were obtained in favour of the petitioner in a court of law, such a result might not be thought sufficient to render farther parliamentary proceedings on the subject unnecessary. He did not doubt but that many gentlemen of the bar would be found willing to support the cause of the petitioner; but he was uncertain whether, even though he sued *in forma pauperis*, stamp duties must not be paid.

The *Attorney General* said, that persons suing *in forma pauperis* were not liable to the payment of stamp duties.

Lord *Folkestone* having finally consented to withdraw his motion, the petition was ordered to lie on the table.

COMMITTEE OF SUPPLY.] The Chancellor of the Exchequer moved the order of the House, that the House should go into a committee, to consider of a supply to be granted to his majesty.

Mr. *Ponsonby* did not rise for the purpose of opposing the substance of this motion, as he was perfectly aware that a supply must be granted; but he rose to say, that as a committee had been proposed, he meant to apprise the noble lord, that if he did not take effectual steps on Friday for the appointment of that committee, he would himself submit a motion to the House on that subject. He was not aware, whether the noble lord had been a party to the delay before, but it was of the utmost importance to the country that no further time should be lost.

Lord *Castlereagh* said, his motive for altering the day from Thursday to Friday was not for the sake of delay, but because it would be more convenient for the statement which he should have to make to the House. He was most anxious to submit to the House what his majesty's ministers thought it most advantageous to propose to parliament under the existing circumstances of the country. The right hon. gentleman could not be more anxious on that subject than he was.

The House then went into the committee. On the motion, that a supply be granted,

Mr. *Calcraft* had no objection to the motion, but was desirous to know what course was to be pursued on Friday. Did the noble lord mean to follow up his statement by the appointment of a committee; and if so, was that committee to be chosen by ballot, or in the ordinary way? With respect to the general subject of a committee

tee of supply, he wished to know from the chancellor of the exchequer, whether he meant to relinquish any tax that would come home to the pockets and feelings of the country at large? for he considered it absolutely necessary that some taxation should be remitted to the people. Under the existing state of affairs, the increased population of the country could not maintain themselves by their labour. Almost the whole of the labouring classes were supported out of the poor-rates of the country; and unless something should be done to relieve their distresses, let peace continue, let commerce flourish, let agriculture revive, they could not maintain themselves, unless they were still assisted out of the parish rates. These rates, however, had now become so great, that it was almost impossible to increase them; and, therefore, he wished to ascertain, whether it was intended to apply the sinking fund to the relief of the country. He was strongly of opinion, that it would be the most advantageous course to take a portion of that fund to supply some of the taxes that press so heavily on the labouring classes of the community.

The *Chancellor of the Exchequer* said, that the great question of providing the means of a supply was such as must necessarily come under the consideration of the House; and, therefore, however his mind might be made up on the subject, he should refrain from entering into any detail, until he saw to what the general statement might lead.

Mr. *Calcraft* replied, that this answer was much more acceptable than the reserve of the noble lord. He could not, indeed, expect more from the right hon. gentleman on this occasion. He thought it his duty, however, to repeat the question, whether the noble lord had intended to choose the committee by ballot or by taking names?

Lord *Castlereagh* declined giving any answer until he had an opportunity of stating to the House the line of conduct which he meant to adopt.

HOUSE OF LORDS.

Tuesday, February 4.

PRINCE REGENT'S MESSAGE RESPECTING CERTAIN DANGEROUS COMBINATIONS.] The order of the day being read, for taking into consideration the Message from the Prince Regent, which was brought down yesterday,

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Lord *Sidmouth* rose and said:—My lords; I rise to propose to your lordships an Address to his royal highness the Prince Regent, in answer to the Message which I brought down yesterday by his Royal Highness's command. My lords, it will be readily imagined by your lordships, that such a communication could not be made to this House, without strong feelings of pain and regret on the part of the illustrious person, by whose command it was submitted to the House. It is, indeed, my lords, a most afflicting consideration, that it should be announced to your lordships, to this country, and to the world, that information has been received, of certain practices, meetings, and combinations, tending to alienate the affections of his majesty's subjects, to endanger the public tranquillity, to bring into hatred and contempt his majesty's government, and to overthrow the whole system of our laws and constitution! and your lordships will, I am sure, readily believe, that such a communication could not, and would not have been made, except under circumstances of peculiar and inevitable necessity. My lords, if it should be your lordships pleasure, as I have no doubt it will be, to concur in an address to his royal highness the Prince Regent, in answer to his gracious message, such a one shall be proposed, as, I trust, will be considered proper, because it shall not pledge your lordships to any measure beyond the mere consideration of the papers. Under all the circumstances of the case, I shall propose to your lordships, that the information referred to in the message of his Royal Highness be referred to a committee of secrecy, and, in making this statement, I naturally feel, that it is not proper, it is not possible, that I should now enter into any explanation relative to the information contained in those documents. I shall also abstain from making any reference to any ulterior measures that may arise from the proceedings of the committee. On this point, my lords, nothing can be done, and nothing ought to be said, until the report of the committee, if it be your pleasure to appoint one, is laid on your lordships table. My lords, all I have to request of your lordships is, that you will abstain from making up your minds, if I may be allowed to use the expression, with respect to the course which it may be expedient, or inexpedient, to follow, after your lordships are in possession of the information which shall be laid before

you. On this subject I will not say a word. All I ask of your lordships is, to suspend your opinions and judgments, until the Report is on your table—until you have an opportunity of reading and fully considering it. There is only one other observation, which I now think it proper to offer. It is this—that the communication made on this occasion, is, in no degree, founded on, or connected with, that shameful outrage upon the Prince Regent, which, I am sure, is contemplated, not by your lordships only, or by the other House of Parliament, but by the great body of the people of this country, with detestation and horror. If that outrage had not been committed, if that indignity had not been offered to his Royal Highness's person, his majesty's ministers, being in possession of the information which will be laid before your lordships this day, would have found it necessary to have submitted to your lordships those documents which are referred to in the message from the Prince Regent. My lords, I shall now content myself by moving, "That an humble Address be presented to his royal highness the Prince Regent, to return his Royal Highness the thanks of this House for his most gracious message, and to assure his Royal Highness that this House will proceed to take the information, which by his Royal Highness's commands has been laid before them, into their immediate and serious consideration."

Earl Grovesnor. My lords, the noble viscount has undoubtedly made a most tremendous charge against a large portion of the people of this country. I trust that charge will not be sustained; but at all events, your lordships cannot but acquiesce in the proposition of the noble viscount, for going into this committee, after such a serious such a momentous charge. Of this, however, I am convinced, that, let the disaffection be great or trivial, it has been provoked by the disposition which has been manifested, on many occasions, by his majesty's ministers to their faces against every species of reform, and pertinaciously to oppose every thing like extended and efficient retrenchment.

Lord Holland. My lords, to the motion made by the noble viscount, and to the whole course of proceeding recommended by him, it is impossible, in my humble opinion, to make any objection, when a message of this nature has been sent down from the throne. The state-

ment, that such serious communications were to be made, is quite sufficient to authorize your lordships to enter into the ordinary course of examinations hitherto adopted on such occasions. When meetings and combinations are stated to exist, by which the constitution of the country is endangered, the line proposed to be taken by the noble viscount is undoubtedly the correct one. I do not rise, therefore, my lords, to object to this proceeding. But still, I should not leave this House at all satisfied with myself, if I did not express the deep regret I feel on this occasion, that such a communication should be made, whether it has proceeded from improper practices on the part of individuals, or from the intention of any one, in power, or out of power, to create a false alarm, at this period, throughout the country. It was but yesterday that a noble friend of mine presented a petition to this House, containing a statement of severe personal grievance and oppression; which petition your lordships rejected.* And on what ground did your lordships reject it? On this ground—that the individual, so petitioning the House, had his redress at common law. I feel that the rejection of that petition was proper. But, I hope, that the same justice will be exercised in this case, as was manifested in that. I hope that the even hand of justice will deal out the same measure to the powerful as to the powerless:—and that, when the noble viscount says, that some proceedings have taken place, which demand the notice of parliament, he will go farther, and prove, that they are of such a nature as to preclude any redress by common course of law. This, at all times, is a principle, that ought to guide ministers in proceedings of this sort—but ought now to be particularly attended to. In a time of peace, when no apprehension can be entertained from a foreign enemy—in a time of dreadful distress amongst the people of this country, which naturally renders them anxious to see the legislature and the representatives of the nation conduct themselves in such a manner as to prove the substantial benefits of the constitution, by devising means for their relief—at such a period, measures of a harsh nature ought to be deeply considered before they are adopted. I perfectly agree in the observation of the noble viscount, that it is not fit, at the

* The petition of Thomas Dugood, see p. 183.
(O)

present moment, to say any thing of the ulterior measures that may be proposed. I therefore trust, that those who may go into this committee will form their judgment and opinion on an unbiassed view of the nature of the case. But it would be, I think, a matter of deep regret, if the investigation of the practices alluded to in the Prince Regent's message, should, at this period, lead, in the judgment of your lordships, to the enactment of any law that may tend to abridge the liberty of the subject. It is unnecessary to say, in a British House of Lords, that any law, tending to abridge the rights of the people, is, at all times, an evil of very great magnitude. But, if that evil be more intolerable at one time than another, the present is the period, when, by the admission of noble lords on all sides of the House, the people are groaning under the most unparalleled distress—when, in consequence of that distress, discontent has been generated—when doubts have arisen with respect to the conduct of government, and a hope has been cherished (fallacious perhaps), that parliament can apply a remedy to the existing evils, more immediately effectual, than, when we go into a consideration of the subject, we may possibly find ourselves able to devise. And here I must remark, that the period when those practices and combinations are said to have been entered into, must be a matter of great importance, and worthy of particular notice, in considering the measures to be hereafter adopted, because, I have felt it a point of congratulation to see, during the last four or five months, large bodies of the people looking to parliament for a redress of their grievances—for relief from their distresses. It will be for the noble viscount to explain to the House and to the country, why, when such a disposition to look to parliament for redress existed, it has been prorogued from time to time—and why, when at length it has been called together, the first measure submitted to its consideration, at this critical period, has been one that implies distrust and jealousy of the people? I, my lords, will bring an unbiassed judgment to the consideration of this question; but I certainly think it a matter of fearful and discouraging omen, that this session should commence with such a proposition. I am ready to believe what the noble viscount has stated, that it is unconnected with the outrage on the Prince Regent which no person (whatever the danger of that out-

rage really might be) can look to without abhorrence and detestation; but I must regret, I must deplore, that any necessity should be supposed to exist for such a proceeding. I have felt it necessary, my lords, for many reasons, to say thus much at present. On former occasions, when the noble viscount has brought down messages of a similar nature, I must confess I entertained some expectations founded on the noble viscount's own moderation, that he would prevent any results fatal to the liberties of the subject, as the consequence of such communications. I own, that there are many circumstances, at present, that lead me to form rather a contrary opinion; and, therefore, I take this opportunity of stating to your lordships, the distress and wretchedness to which this country would be exposed, if the necessity of a law of the sort that is contemplated, should not be fairly and completely made out, to the satisfaction of every man in this kingdom, before the liberty of the subject should be in the slightest degree contracted or abridged.

The Earl of *Liverpool*. My lords, I do not mean to trouble your lordships with more than a very few words on this occasion. According to what has been said by the noble lords opposite, no difference of opinion exists as to the mode of proceeding recommended by my noble friend. I cannot think—whatever diversity of sentiment there may be, either with respect to the internal state of the country, or with reference to the measures to be adopted under that situation of things—I cannot, my lords, conceive, that a more proper, a more constitutional, or, I will add, a more liberal proposition, could be introduced, than that brought forward by my noble friend. The general circumstances, undoubtedly, to which the noble lord opposite has alluded, must naturally form a part of the consideration of the committee. But, it was the wish of government, in noticing those general circumstances, not to suffer the message, or the address in answer to it, to pledge parliament to any opinion whatever—either as to the necessity of any farther measures to secure the internal peace and tranquillity of the country, or as to the propriety of letting matters remain as they are. I am sure the noble lord who spoke last will agree with me, that if his majesty's ministers were in possession of the information stated in the Prince Regent's message, they could not have performed their duty

in any other way so well as by bringing it before parliament, and, according to established precedent, submitting it to the consideration of a secret committee, so that no person should be bound to express an opinion, as to what should be done, or whether any thing ought to be done, until the circumstances were fully investigated. This is the course pursued on the present occasion. The House is not called on by the address to offer any opinion, and my noble friend has strongly desired, that no noble lord should prejudge the question, and form an opinion whatever it might be. I wish it to be therefore understood, that we go to this inquiry with unbiassed feelings. I hope that noble lords will restrain their minds from coming to a conclusion on this subject, until those who are on the committee have made their report, and they have all had an opportunity of seeing it, and of deciding fairly whether some ulterior proceedings should or should not be adopted. That decision will be formed, with every regard to the liberties of the subject—with a strong disposition not to infringe on the established laws of the country—with every tenderness to the feelings of the people on the one hand, but, on the other, with a firm determination to uphold the constitution and government of the country. With respect to what has been stated, by a noble earl, who says, that there is a tremendous charge made against a great body of the people of this country, I would ask the noble earl, where does he find that charge? —[Earl Grosvenor—"In the Speech."] Neither in the speech delivered on the first day of the session, nor in the message presented yesterday, and now taken into consideration, has such a charge been made. His royal highness, on the contrary, has been advised to declare, that the great body of the people of this country are loyal, and are arrayed against the attempts of disaffected and seditious persons, who might endeavour to draw them from their allegiance. My noble friend, who spoke last, adverted to the distresses of the time (which are admitted on all hands) as a consideration that should operate against the enactment of new measures. I admit the distresses of the time; but, if my noble friend considers the principle which he has advanced, he will perceive that it is not tenable. Designing men, I know, will be at all moments disposed to do mischief and create confusion, if they can; but my noble friend will al-

low that it is not in time of peace and prosperity, when no distress is felt in the country that such efforts are likely to prevail and become successful. It must always be in time of difficulty, either internal or external, that such attempts can be successfully resorted to by the designing. What I am most anxious to do is this, to restate what is substantively contained in the speech from the throne; namely, that we are not disposed, for a moment to bring any charge against the great body of the people of this nation, whom I believe, most sincerely, to be firmly attached to the established constitution. But, my lords, we are not, on that account, to be insensible to the fact, that, in many periods of the history of this country, persons have been misled by the arts and delusions of others—and, therefore, the present state of things cannot be looked on with indifference. I trust, my lords, we shall not show that supineness and apathy which encourage danger, but that we shall keep our minds free from such feelings; and that, when the question comes regularly before us, we shall look at it without fear and without prejudice. We ought not to countenance any unnecessary infringement of the law, neither ought we to sacrifice, to mere names, that which is most essential to the security and well-being of the state.

Earl Grosvenor, in explanation, said, that the charge must be supposed to have been brought against a large portion of the people, otherwise it would have been idle and unnecessary to have called the attention of their lordships to the subject.

Earl Grey. My lords, to the course of proceeding mentioned by the noble secretary of state, and by the noble earl who has recently spoken, I do not know that any objection has been offered by my noble friends near me, nor, indeed, that any objection can be made. Undoubtedly, if it be true that his majesty's ministers have obtained information of practices that threaten danger to the constitution, it was their duty to communicate it to parliament, and they could not do so in a more proper mode than by adopting the course which had been pursued on similar occasions. Whether that information is of such a nature as to render this communication necessary—whether it is of so much importance as to call for so grave a proceeding—is what we shall hereafter have to decide on; when, on a full consideration of the case, the whole matter

shall be brought before us. Until that period arrives, I shall suspend my opinion, as the noble lords opposite have desired me to suspend it; but, in suspending that opinion, I must, in common with my noble friend behind me, express my regret, considering particularly the situation in which we are placed, that any such necessity should have arisen, even in the minds of the noble lords opposite themselves. My noble friends, in mentioning the situation of the country and the conduct of the people, have stated nothing more than what is just and true. Perhaps there never was a time, when, suffering under such an amount of distress, when, labouring under the pressure of such severe calamity—affecting the highest and the lowest—the lowest weighed down by privation, which human nature can hardly any longer support—the highest impoverished by the calls of benevolence and charity, so universally displayed in relieving their less fortunate fellow-creatures;—perhaps, my lords, under so great an accumulation of misery, such exemplary patience, forbearance, resignation, and confidence in the existing constitution and government of the country, were never before exhibited. When we see this—when we see that these effects are produced by an unfeigned veneration for that constitution which we all love—but which I have rarely heard eulogized by the noble lords opposite, except as a preliminary to some invasion of it—when we consider that this forbearance, this patience, this resignation, afford the best proof of the benefit of our constitution, which inspires such confidence, and produces such temperate conduct—ought we not to be most cautious in agreeing to any innovation? The noble lords opposite called on the House to go into the examination without favour, without affection. I repeat the adjuration; and I call on your lordships to enter on this question without favour, without partiality, without fear; or, if fear should mingle with your deliberations, with at least as much fear and apprehension of weakening and impairing the liberties of the people, as of injuring the constitution. I think it is a most unfortunate circumstance, a most lamentable necessity, that, at this period of distress and misery, when no measure of relief has been adopted, when no one efficient measure of reduction and retrenchment has been carried into effect, but when, on the contrary, as has been

truly stated by my noble friend (earl Grosvenor), every effort to obtain a reduction of the public expenditure, for which the people of England have unanimously called, has been met with rejection or evasion by his majesty's government—it is most unfortunate, that, at such a time, a measure should be proposed, which, there is too much reason to apprehend, may lead to some invasion or infringement of the people's rights. The noble earl says, he hopes your lordships will not employ yourselves in attending to mere names, while matters of substantial importance are abandoned. I hope, my lords, we shall not; but I also hope that you will consider what is the real state of the constitution. I trust you will consider, above all, looking to the circumstances of the time, as the noble earl calls on you to do, that you stand in a critical and difficult situation, in which precipitancy ought to be avoided, in which you ought to act equally for the security of the people as for the safety of the throne. The noble earl says, that at periods like the present, malignant and malicious spirits will be at work. This is true. But when, year after year, new powers are given to the crown—when we are daily arming the executive government with novel and unheard of authority—when, on the other hand, we know not of any new powers being added to those sanctioned by our ancestors for the security of the people—I hope we shall cautiously abstain from following up this system, and that we shall not continue to give fresh strength to the executive government, while we impair and weaken the liberties of the subject. Your lordships have marked the manner in which the people have behaved under the pressure of affliction and distress—distress which nothing but a proud confidence in the constitution could have enabled them to support. You will give them an additional reason for continuing to act as they have done, by preserving for them, unimpaired, the securities which the constitution has provided for them. That is a reward worthy of all their patience, all their resignation, all their forbearance. Nothing, my lords, but a necessity of the most imperative kind—a necessity of so paramount a nature, that it can be removed by no other means, should induce your lordships to interfere with the slightest particle of those constitutional barriers, which have hitherto protected the people, and which the

experience of ages has sanctified. I shall not enter into any observations on the proceedings that may probably take place. I hope the result of this inquiry will be, not to introduce any coercive measure, which would be most improper and unjust, if not supported by the clearest and plainest necessity. I conjure your lordships to consider the case, when it is laid before you, with all the impartiality it requires; and, at the same time, with that sentiment, which, I trust, will ever be the paramount feeling in the heart of every British legislator—a determination not to trench on the liberties of the people; being well convinced, that such an encroachment is as great an evil, as any that may be apprehended from the effervescence of popular spirit."

The Marquis of *Buckingham*. My lords, I feel, in common with my noble friends, a sincere regret that it should be deemed necessary by his majesty's government to resort to a measure of this nature. The responsibility of proving that necessity rests upon ministers, and as far as they have gone, they are unquestionably entitled to the confidence of the House, that they would not have so proceeded without strong grounds to justify them. When at a future period those grounds come to be examined, tremendous will the responsibility be. I shall go to the inquiry with the dispositions so properly recommended by the noble lords on the opposite side. I shall enter upon it as I would enter upon the functions of a juror, in a case of life and death. When the period of investigation arrives, it will be necessary to satisfy me, not only that they shall be able to show that such difficulties have existed as they now state to exist, and that such combinations have been formed as they now represent to be in a state of activity; they must also prove, that the law as it stands at present, is insufficient to counteract the dangers to be apprehended from both. If that is not done, I shall say, that but half their case is proved. If they cannot show distinctly, that the law, as it now exists, has been applied to, and found inadequate, the question of their defence will then resolve itself into this proposition unsupported by fact, that the greater the degree of distress, the greater should be the power of the law. If it is proved that the law was not sufficient to suppress the difficulties with which we are threatened, the case will then be made out, it will then appear to

be necessary that this inquiry should be instituted, in order to determine what powers ought to be given, not to this or that government individually, but to any government in being at the time that such practices are discovered. No humanity can be more mistaken than that which would allow the people to become the dupes of designing individuals, to be misled by persons few in number but desperate in character, who, under the pretence of calling the attention of the people to their grievances, and the remedies for them, turn away their attention from their real grievances, and the real and true remedies, and fill their minds with imaginary grievances, and the most delusive, visionary, and dangerous plans of relief; with vain theoretical notions and schemes, which even when reduced to their utmost standard of moderation, will be found to be most mischievous, dangerous, and destructive to their own liberties as to the constitution of the country.

The address was agreed to.

Lord Sidmouth then moved, that the papers on the table should be to-morrow referred to a committee of secrecy, consisting of eleven lords, to be then chosen by ballot. This motion was agreed to.

HOUSE OF COMMONS.

Tuesday, February 4.

PETITIONS RELATING TO REFORM, &c.] Lord *Cochrane* presented a petition from certain burgesses and other inhabitants of the town of Hamilton, in Lanarkshire: On a former evening, when presenting a petition, he had been unable to speak to the character and situation of the persons from whom he had received it. In the present instance he could state to the House, that those from whom the petition now in his hand came, were persons of religious habits, whose industry had heretofore maintained them in comfort, and whose general peaceable demeanour could not be called in question. They stated, in temperate language, the distress of which they had to complain, and the grievances which, at length, compelled them to come before that honourable House. Their prayer was for retrenchment in the public expenditure, and for a reform in the House of Commons. Ordered to lie on the table.

Mr. *W. Smith* said, he had a petition to present from Norwich, which he did not know contained any thing improper or

offensive. This opinion of his, however, did not affect, in his mind, the substance or object of the petition. He must decline giving any particular opinion on the contents, because he thought, that the claim upon a member to give such opinion was imposing upon him a task which was at the same time both invidious and useless—invidious, because it called on an individual member to state an opinion as to the wording of a petition, and because such an opinion was imagined to have a certain degree of influence upon the House. There must be very strong language indeed in a petition, before he could be induced to decline to present one from his constituents. The claim was useless, since, after any member's declaration, the House might totally disagree with the petition; so that no advantage was to be gained from the individual member's opinion. If, again, he thought a petition was improper to present, it might be given into the hands of some other member who thought differently, and the House might afterwards think it was fit to be received, in which case his own opinion would be gratuitous and useless. He then adverted to the case of a rejected petition from Horsham on the 25th of April, 1716, which was refused on the score of improper language. That petition prayed for the repeal of the septennial act, which was styled “an overturning of the constitution and subversion of the rights and liberties of the nation.” But he thought, that if the House of Commons would go so far as to double the period of its own existence, he scarcely knew any terms so strong as to prevent him from thinking it his duty to offer a petition upon the subject. He had looked at this petition and its prayer, and he thought it ought to be received. There were respectable names on the first sheet, followed by thousands of signatures. It was on the principle of the question that he thought it right to decline giving his own opinion on the terms in which the petition was couched. He moved, that the petition be brought up.

Mr. *Wynn* regretted exceedingly, that he should find himself called upon to oppose the bringing up of this petition, but remembering what he had heard repeatedly from the oldest members of that House, and the firmest friends of the British constitution, that a member presenting a petition should be held to give his sanction to the language of it, though not to the prayer, he, for one, would not

consent, after what had been said by his hon. friend, to receive it. If he looked back to the proceedings of parliament, he found the great examples of Mr. Fox and Mr. Whitbread, who were as anxious as any members to support the just rights of petitioners. They had however presented on some occasions, petitions of which they stated that they did not approve the prayer; but then they said they had read them, and did not see any thing in them offensive or disrespectful to the House. His hon. friend seemed to treat this as nugatory, because the House could reject a petition. But was it really a point of indifference to the House to act on such questions as a mere matter of course, and thereby to be compelled to hear a train of expressions offensive in themselves, and impertinent to, or unconnected with, the subject on which the petition was founded? At this rate, a petition of the size of a quarto volume might be brought up and read, filled with extraneous and offensive matter, till the House was quite tired out with hearing it. He was sorry to be obliged to oppose receiving a petition under the present circumstances. He had said to persons who had brought petitions to him, that he was willing to present them, but sometimes they had run to too great a length, or contained what might cause their rejection, and he had then recommended the parties to amend and alter them. It was much the better way to take any offensive matter out of a petition before presenting it. He saw no one benefit likely to arise from any alteration of the uniform and established practice of the House. There must obviously be a great inconvenience in being obliged to sit and hear all sorts of insult and contumacy. He had, on a former occasion, alluded to the circumstances of the Kentish petition. The House, after hearing offensive language, had no way of animadverting upon it but by the rejection of the petition which contained them. The former practice had been to state objections to petitions on the question of bringing them up. It would be a subject of regret if all petitions were to be read as a matter of course. He should regret deeply if petitions were rejected merely because they contained passages which expressed sentiments contrary to the opinions of the majority of the House. He saw no way more effectual for all desirable purposes, than to inquire the opinion of a member as to the character of a petition;

and it was the best mode of avoiding the painful necessity of rejection.

Mr. *Lockhart* had always thought the member presenting a petition bound to read it, but not to go further, and vouch for the propriety of the language it contained, excepting in particular cases, where the House having reason to believe the matter of it was offensive, might require some assurance on the subject. The opinion he had formed had been confirmed by what occurred a few days back. When the hon. baronet had brought up his first petition, no questions had been asked; but when one or two had been read, and found to be disrespectful to the House, and couched in nearly the same terms, he had properly been asked if those which he was subsequently about to present were of the same character. When called to state what the character of a petition might be, he thought the member presenting it was bound to give a pledge, that it contained nothing improper, but he did not think he was called upon to do this in the first instance.

The *Speaker* apprehended the rule of the House to be what had been laid down on a former day, and what had been correctly stated by an hon. gentleman on this, that the House had a right to expect a member presenting a petition, would be prepared to declare the language of it was not in his opinion intentionally disrespectful. If he refused to give such a pledge, it seemed hard that the House should be expected to depart from its established rules to receive the petition so presented. The member ought in the first instance to satisfy himself that the language of it was not improper.

Lord *Castlereagh* said, the feeling of the House must ever be in favour of receiving petitions, and it never could be their wish, in considering what was due to their dignity and what was their duty, to throw any obstacles in the way of petitioners. He thought the hon. member who presented this petition had gone most unnecessarily out of the way, and he hoped it would be felt, that if the motion were opposed, it was not from any wish on that side of the House, to get rid of the petition, but from a desire to assert a principle which had now been brought into discussion. He apprehended the rule of the House to be founded in true wisdom, and true wisdom went to throw open their doors to petitioners in the largest sense, and doing this to be careful not to depart

from the established usage of parliament. It was not necessary they should submit to be treated with disrespect to secure to petitioners their rights. What degradation would be theirs, were they to submit to every insult that the wicked imaginations of designing men might be pleased to heap upon them—to read every petition that might be presented, and reading, to put it on their journals, however offensive its contents might be! He trusted the members of that House would not lend themselves to become the channels of insult, and to be used as the means of libelling it. In a case where a member doubted what was the course most proper to be pursued, he might with propriety state his doubts, and then the petition could be read, that the wisdom of the House might assist him in coming to a decision. But when the hon. gentleman so broadly maintained that the House was bound to receive any petition that might be offered, without requiring any pledge as to its language, he would say, that if they lent themselves to such a doctrine, they lent themselves to their own degradation, and to the destruction of their own privileges and dignity. As this subject had been forced unnecessarily on the House, he had no difficulty in adhering to the established rule, and, considering the rights and liberties of the subject involved in the dignity of that House, he thought they were bound in the present case to reject the petition.

Sir *F. Burdett* thought it was rather hard on so respectable a body of men as the petitioners, that their petition should be rejected, because the member presenting it, had expressed an opinion on a matter with which they in the present instance had nothing to do. After all, it could not be doubted that every member would exercise his own discretion whenever a petition was brought for him to present, and he hoped the noble lord would not persevere in his opposition on the present occasion.

Mr. *Bathurst*, after alluding to what had passed on the same subject on a previous evening, observed, that if the hon. member who presented this petition had omitted his observations, it was probable that the petition would have met with no opposition. He might suspect, in such a case, that a member thought that his petition would not be received when read; but he imputed no such thoughts to the hon. gentleman, who, he rather believed, wished merely to raise the question. He could

not deny the practice; but he had merely argued against the reasons assigned for the rule, which he seemed to consider as extremely absurd. If a member had any doubt respecting a petition, he could state it. As to a petition, declined by one member, going into the hands of another, that was no argument against the security afforded to the House, by relying, to a certain extent, on the character of one of their own body to protect them against a petition which might contain gross abuse from beginning to end. Many things might be sufficiently stated without offensive language. All responsibility was lost when a member said he had not read what he presented; yet a libel might thus go to the journals. The point was, whether it was proper to take the chance of a petition which nobody had read, and the risk of insults. It was impossible to assent to this.

Mr. *W. Smith* replied, that no one was more ready to bow to the authority of the chair than himself, but he considered the present question as one of great importance. It was upon the principle alone that he stood. He never doubted the power of the House to require of any member that he should declare a petition to be such as the House might receive, or that he might be called upon to read a petition in his place, and in the latter case it would not appear on their journals, if couched in improper language. They could not expect that petitions upon reform, or upon grievances arising from a want of reform, would be expressed in very conciliatory terms; but he did not think it was the duty of a member to make himself the channel of refusal, if he considered a petition objectionable. He was, therefore, ready to abide by the decision of the House on the present occasion, whatever that decision might be.

Mr. *Canning* observed, that no question would have been agitated upon the subject of this petition, if the hon. member had not sought it by stating his objection to saying that he had read it.

Mr. *Banks* thought that the hon. member had fully complied at first with the rules of the House, in saying he had read the petition, though, he afterwards started the general question about the necessity of his compliance. If he would repeat what he had first stated, so as to undo the effect of his subsequent observations, he would vote for the reading of the petition. The hon. member might bring forward the subject on another occasion.

Mr. *Brougham* trusted his hon. friend would not give the House the trouble of dividing, but he also trusted that he would not comply with the request of the last speaker. If it were felt that a member ought to read a petition before he presented it, let a fair and honourable understanding be come to on the subject on both sides; but he hoped that no member nor even the House itself, would get into the habit of administering interrogatories to every hon. gentleman who might present a petition. Such a course, he contended, was extraordinary and unparliamentary, and would lead to a course of examination that would be very inconvenient, as, after the question—"Have you read the petition?" the next question undoubtedly would be—"Is it fit to be presented?" and if a doubt occurred here, it would then be asked—"What do you think of it upon the whole?" To this he must object, and he therefore hoped his hon. friend would not repeat what he had before stated, in compliance with the suggestion of the last speaker.

The *Chancellor of the Exchequer* said, that an hon. baronet had been questioned on a former night in consequence of his having said he had not read one of the petitions he presented. In the present case no one would have thought of asking the hon. gentleman a question.

The question, that the petition be brought up, was then put and negatived.

PRINCE REGENT'S MESSAGE RESPECTING CERTAIN COMBINATIONS]. The order of the day being read for taking into consideration the Prince Regent's Message,

Lord *Castlereagh*, in rising on the present occasion to submit a motion to the House, was happy to think the proposition he had to offer was one on which he could not apprehend the slightest difference of opinion would exist, as it merely went to acknowledge the receipt of the Prince Regent's most gracious message, and to assure his royal highness that that House would take into its most serious consideration the papers he had ordered to be communicated to them without delay. Whatever the situation of things might be at present, nothing could be further from his wish, than to say, one word that might lead to a debate on the present state of the country, as the very nature of the communication which had been made indicated secrecy to be desirable, as the

House were not yet in possession of what ministers considered to be necessary to give them a proper knowledge of the present state of the country. It would cause great embarrassment to him, and to the House itself, were this subject now to be entered upon. All he should at present request of them was, that they would keep their minds free and unbiassed, that they might then act as should be necessary on the report of the committee. There was only one other point on which he would offer a single word. He thought it necessary to oppose the idea that had got abroad, that this communication arose out of the late atrocious attack on the person of the Prince Regent. He begged distinctly to state, that the present proceedings did not arise in any shape out of that outrage. The communication which had been made was founded on information which he thought it would be felt that the government, without abandoning their duty to the country and to the constitution could not but advise his royal highness to submit to the House. Having said thus much, he hoped it would be most consonant with the feelings of the House not to enter upon the views which any gentleman might take of the present situation of the country, from the information which they already possessed. He concluded by moving, "That an humble address be presented to his royal highness the Prince Regent, to return his Royal Highness the thanks of this House for his most gracious message, and to assure his Royal Highness that this House will proceed to take the information which by his Royal Highness's commands, has been laid before them, into their immediate and serious consideration."

Mr. Ponsonby declared, that he did not rise to offer any observation in opposition to the motion of the noble lord. But he was solicitous to ascertain from him whether it was, or was not, in his contemplation to proceed immediately on the subject, as in his judgment it was one of all others, in reference to which any delay must be pregnant with public danger [Hear, hear!].

Lord Castlereagh, in answer, stated, that it was the intention to adhere strictly to the precedent established in the year 1795.

The motion was then carried *nem. con.* Lord Castlereagh then moved successively, 1. That the papers containing the communication from the Crown be referred to a committee. 2. That this com-

mittee be secret. 3. That it consist of 21 members. 4. That it be chosen by ballot. All which motions were agreed to.

CASE OF THOMAS DUGOOD.] Mr. Addington said, he had taken the earliest opportunity of bringing the case of Thomas Dugood under the consideration of the noble lord at the head of the department to which he belonged, and it had been ascertained that the youth had not been committed by a police magistrate, as stated by the noble lord. The committal had been signed by a magistrate for the county of Middlesex.

Lord Folkestone admitted a fact to have been stated of which he was not aware, and which went to do away some of the arguments he had used on the preceding day, but his view of the general merits of the case was not affected by this statement.

PETITION OF MR. HUNT.] Lord Cochrane rose to present a petition from a gentleman who complained of being the object of much oppression and misrepresentation. If the petition contained allegations that were untrue, let them be controverted; if, on the contrary, they were true, let the individual have an opportunity of maintaining them. The noble lord then stated, that the petition which he held, was from Mr. Henry Hunt, who complained of a libel having been sent forth upon his character. He stated, that he could prove it to have been printed at the office of the police printer; to have been issued from a police office; to have been, when affixed to different walls of the metropolis, watched by officers of the police stationed for the purpose; and, lastly, that copies of the paper so placarded, were deposited at a police office, for the purpose of enabling the parties who detected others tearing down the bills to identify the torn part from the whole copy so deposited. He hoped, that if such facts were proved at the bar of that House, they would feel the necessity of addressing the Prince Regent, entreating that he would dismiss from the commission of the peace, a magistrate who would be found to have so violated his duty. He concluded by moving, that the petition be brought up.

Mr. Serjeant Best felt it right to object to the extraordinary course which was about to be taken on this occasion. Let the House reflect for a moment on the (P)

situation in which it would be placed, by receiving this petition. It would stand in a situation to pronounce upon an inquiry, without having the power of ascertaining upon oath the truth or falsehood of the allegations at issue. The petitioner had quite mistaken his course. Some papers had been, it appeared, stuck up, reflecting upon his character, counterparts of which were found at a police office. They might have been there without the knowledge or privity of the magistrate; but if they were with his consent, then the remedy lay in a judicial proceeding against the magistrate in due course of law, where the whole evidence might be taken upon oath. The House would not surely convert itself into a court for taking cognizance in the outset of charges brought against inferior officers. He would, therefore, oppose this petition, as it prayed nothing which could not be put in a regular course of redress in the ordinary way of proceeding.

Sir *F. Burdett* begged to observe, that the noble lord had stated the contents of the petition, and, in so doing, had satisfied all the forms contended for in the presentation of petitions.

The petition was brought up and read.

It was couched in the same words as the one presented to the House of Lords, and which will be found at p. 170. On the motion, that it do lie on the table,

Lord *Castlereagh* said, he should not oppose its being laid on the table, but he should certainly oppose any further proceedings on the allegations which it contained.

Ordered to lie on the table.

PETITION FROM WARRINGTON COMPLAINING OF OBSTRUCTIONS IN PETITIONING.] Mr. *Brougham* said, he held in his hand a petition from a number of the inhabitants of Warrington, in the county palatine of Lancaster, complaining of a gross violation of the subject's best privilege—the right of petition. If the facts alleged in the petition were borne out, and in their support he had two affidavits, he sincerely hoped, that whilst documents, probably of an opposite tendency, were about to be referred to a committee soon to be appointed, the subject's complaint of grievances would also be entertained and examined. It was the indubitable duty of the king's government to preserve the public peace, and of that House to support the executive in the

constitutional manner of conserving the national tranquillity; but, on the other hand, it was no less the indubitable obligation of that House to see that the people's grievances were redressed, before they were driven to those acts of violence which the disregard of protection might alone originate. If that, as he took it, was the first duty of the representative, it was particularly imperative in its application when the nation was suffering in the most afflicting extent, when at least no obstruction should be given to the bare consolation of expressing in a legal, peaceable, and constitutional manner, their complaints. The House would best guard against public outrage, as it would best fulfil its natural duty, by listening to popular grievances; by throwing open its doors widely to the claims of general misery; but, above all, by marking with its determined indignation any effort to stifle or impede it. The case to which the petition referred appeared to be one where a most serious obstruction was given to the right of petitioning. A petition had been signed by some hundreds of the inhabitants praying for retrenchment and reform. Its language was guarded and cautious; it broached no violent doctrines. Yet the petition was forcibly seized in the streets, as it was handing from house to house for signatures, by a man named Richard Burrows; was given by him to Edward Coates, and afterwards was forwarded to Mr. Thomas Lyon, the nephew of the acting magistrate, in whose house Mr. Lyon resided. Application was made for it by letter, stating the outrage, but the petitioners were unable to recover it. A second petition was then drawn out, but from an informality in the signatures it was unfit to be presented. The subjects right was thus obstructed by the unjustifiable outrage. The petition he held in his hand complained of that outrage, and he had therefore to move to have it brought up.

The petition was then read, setting forth, "That the petitioners, together with a considerable number of the inhabitants of Warrington and the neighbourhood, signed a petition to the House; and that, on the evening of Wednesday the 22nd day of January 1817, the said petition was forcibly seized in the street by Richard Burrows, carried by him to the house of Mr. Edward Coates, and conveyed from thence to Thomas Lyon, junior, esquire, from whom the petitioners have

not been able to recover it; that, in addition to the petition seized by the said Richard Burrows, which contained about three hundred and fifty signatures, there are other parchments, with copies of the said petition affixed, having five hundred and six signatures to them; that, after the seizure of the aforesaid petition was known, no more signatures to the said petition were received, otherwise the number of persons subscribing it would have been considerably increased; that the petitioners humbly conceive the outrage of which they complain to be not only a gross attack on the right of the people to petition; but also a high breach of the privileges of the House, as it is prejudging the question, and not leaving its decision to the wisdom of the House, who alone have the right to determine whether the said petition should be received, and whether its prayer should be granted; and the petitioners humbly pray that the House will take into their most serious consideration this attempt by lawless violence to prevent the petitioners from submitting their wishes to the House, and that they will take such measures as may appear to the House the best calculated to prevent a recurrence of such outrageous, illegal, and unconstitutional proceedings, and that they will thereby secure to the petitioners that right of petitioning which is the birthright of every Briton."

Mr. *Brougham* said, at present he should merely move that the petition do lie on the table, in order to give every opportunity to the parties complained against of vindicating themselves, and to put the House in possession of every fact. If this opportunity was not embraced, he should in eight or ten days, feel it his duty to take some further measures.

Mr. *Boote Wilbraham* approved the course that the hon. and learned gentleman had taken in letting it lie on the table, and he thought it probable that no further steps would be taken, as though he knew nothing of the transaction, he was convinced, on explanation, it would prove to be no serious intention of obstructing the right of petition, but a mere coarse joke, such as he knew to be common among the lower classes of the manufacturing districts. That it appeared to him a new petition might easily have been prepared and signed in the course of a few hours; the persons who signed the former one and the parchment being at hand;

and that he ventured to think it would not be found a subject worthy of the serious attention of the House.

Mr. *Ponsonby* could not suffer this matter to pass without making one or two remarks. And, first, he must express the extreme satisfaction which he felt at the temperate and moderate language in which his hon. and learned friend had stated this most extraordinary occurrence to the House. The hon. member opposite had been pleased to call it only a coarse joke; but to him it appeared one of the most gross and flagrant violations of the privileges of the people, and of that House, that had ever occurred. In the present situation of the country nothing could be more dangerous than to give the people an opportunity of stating, that their petitions were not suffered to reach that House. The distresses of all classes of the community were unparalleled in the history of the country; and they should be permitted, at least, to state their grievances, in order that the House might adopt the most effectual means of administering relief. His hon. and learned friend had very properly suggested, that other information might be afforded on the facts of this petition; but if that information was not presented to the House, he hoped nothing would prevent his hon. and learned friend from showing to the people, that their sacred and indubitable right of petitioning would be preserved, at least by the faithful representatives of the country.

Mr. *Wynn* concurred in the praise due to the temperate and proper mode in which the petition was introduced, and he regretted that such a subject had for a moment been treated with levity. It was a duty paramount to all others for the House to show the people that it would protect the humblest individual in the land from any obstruction to his right of petition—a right solemnly recognized by the Bill of Rights, and the fair exercise of which could not for a moment be trespassed upon. The House, when such an allegation as this petition contained was made, should trace the matter to its source, and show that they would not allow such an outrage to be for a moment endured.

Mr. *B. Wilbraham* denied that he had treated the subject with levity. He really believed that, on inquiry, it would prove as he had said.

Ordered to lie on the table.

HOUSE OF LORDS.

Wednesday, February 5.

SECRET COMMITTEE.] The House proceeded to ballot for the choice of a Committee to examine the Papers referred to in the Prince Regent's Message. The list having been put into the glasses, a committee of scrutiny was appointed, consisting of the earls of Aberdeen, Mulgrave, and Morton, lord Granville, and the bishop of Oxford, who withdrew with the balloting glasses. On their return the earl of Aberdeen reported, that the choice of the House had fallen upon the lord chancellor, the lord president (earl of Harrowby,) the duke of Bedford, the duke of Montrose, earl Fitzwilliam, the earl of Liverpool, the earl of Powis, the earl of St. Germans, viscount Sidmouth, lord Grenville, and lord Redesdale.

THE THANKS OF THE HOUSE GIVEN TO ADMIRAL LORD EXMOUTH.] Lord Exmouth, in his full uniform and insignia of knight grand cross of the order of the Bath, having taken his seat on one of the cross benches opposite the Lord Chancellor, and the latter having put on his hat,

The *Lord Chancellor* addressing himself to lord Exmouth, who rose and remained standing, said, that the House in the discharge of its high duty, had taken into its serious consideration the honourable claim which the noble admiral had acquired to the applause and gratitude of the nation, for his gallant and meritorious conduct, in carrying into execution the determination of this government, to deliver from bondage the christian slaves already confined at Algiers, and to abolish, by treaty, the system of christian slavery for ever! the measure adopted by this country had been most favourable to the interests of humanity, and reflected lustre throughout Europe, on the British name and character. The House had learned, with the most lively satisfaction, that the plan of the great achievement, which the noble admiral had so gallantly executed, was formed by his skill, judgment, and ability; and the world had heard, and had done justice to the valour and intrepidity, with which that achievement had been effected. The display of those great qualities, of skill, valour, judgment, and intrepidity, could not fail to transmit to posterity, the name of the noble admiral, together with those of the illustrious men who had raised

and established the naval character and glory of this country. He should not presume to detain the House, whilst he endeavoured to express the personal satisfaction he himself felt, in communicating to the noble admiral this testimony of the approbation which their lordships had bestowed on his gallant and honourable conduct. He should proceed, therefore, to read, in the manner he was commanded, the unanimous Resolution of the House:

"Resolved, *nem. dis.* by the Lords spiritual and temporal, in parliament assembled, that the Thanks of this House be given to Admiral Lord Viscount Exmouth, Knight Grand Cross of the Most Honourable Military Order of the Bath, for his gallant, able, and judicious conduct, in the decisive attack on the forces of the Dey of Algiers, on the 27th of August, 1816."

Lord *Exmouth* said, that, after the high eulogium which had been pronounced by the noble and learned lord, it was impossible for him to withdraw, without endeavouring to express the high degree of satisfaction which he felt on this occasion. However judicious his arrangements might be considered—however important the results to which they led might prove—he felt that his exertions were overpaid by the honour now conferred on him. When engaged in the expedition, he relied, for his best reward, on the approbation of the noble lords who surrounded him; and that reward he received with sentiments of gratitude and respect. He might, indeed, be charged with insensibility, if he did not feel almost overwhelmed by the obligation. Honoured, as he was, by the favour of his royal highness the Prince Regent, and distinguished by the approbation of their lordships, it was impossible for him to find language adequate to the expression of his feelings. His life had been devoted, for the last forty years, to the naval service of his country, and, therefore, he felt himself competent to speak of the efficient aid he had received from his able associates in the expedition, rear-admiral sir David Milne, and vice-admiral Van Capellan—as well as of the manly perseverance, and unconquerable spirit, of the brave officers and men of both services. He would venture to state, without fear of contradiction, that the flag of Great Britain never obtained more glory, never derived more honour, was never crowned with greater success, than in the operations against Algiers. He felt the highest reward in the confidence of

his sovereign, in the approbation of their lordships, and in the general praise of those who had the honour of the naval service most at heart. Towards the noble and learned lord on the woolsack, who, in such dignified and impressive terms, had communicated to him the thanks of the House, he felt the strongest sentiments of personal respect. The recollection of the honour conferred on him would ever be fresh in his mind, and would animate himself, and he had no doubt all those gallant officers whose merits their lordships had so justly appreciated, to future exertions in defence of their country. He should be proud to communicate to rear-admiral Milne and to vice admiral Van Capellan the thanks of that House, and to state to them the high testimony which had been borne to their great merits. He was sure it would be felt by them, and by every officer in the fleet, as a stimulus to future exertions, as the best reward for the duty they had performed, and for the zeal and devotion they had displayed in the service.

Lord Melville moved, that the speech of the Lord Chancellor and that of lord Exmouth should be entered upon the Journals; which was ordered.

The Duke of Clarence said, he rose to submit a motion, which, he was convinced, would not be received with disapprobation. He was the first nobleman who had moved, that the speech of the noble and learned lord, in communicating the thanks of the House, and the answer to it, should be printed. This he had done, when viscount Duncan received their lordships thanks for his victory over the Dutch. From the manner in which the noble and learned lord had communicated their lordships' thanks on this occasion—an occasion of the utmost importance—an occasion on which the character of Great Britain stood as high and as proud as on any other whatever—he thought that the same course should be adopted. The expedition against Algiers was a subject of which this country might well be proud, because it had often been asserted, by foreign states, that, in our maritime pursuits, we always fought and acted for ourselves alone. But all the nations of Europe could now judge, whether Great Britain, in sending out viscount Exmouth on this service, was not actuated by a pure feeling of humanity towards the rest of the world? By this act Great Britain had proved, that she could and would exert

herself to protect the rights of the seas against those who invaded them unlawfully. His royal highness concluded by moving, "That the speech which the noble and learned lord had delivered, be printed, as likewise the manly, and excellent, and capital answer, which was returned by the noble viscount."—Agreed to *nem. diss.*

HOUSE OF COMMONS.

Wednesday, February 5.

ANSWER OF ADMIRAL LORD EXMOUTH TO THE VOTE OF THANKS.] The Speaker acquainted the House, that he had received from admiral lord viscount Exmouth the following Letter, in return to the thanks of this House:

"Sir, "London, 5th February, 1817.

"I have had the honour to receive your letter of the 3d instant conveying to me the unanimous thanks of the House of Commons for my humble services before Algiers on the 27th of August last, together with their thanks to rear admiral sir David Milne, and the several captains and officers of the fleet employed upon that occasion, and their acknowledgment and approbation of the services of the seamen and royal marines then serving in the fleet under my command: also communicating to me the thanks of the honourable House to vice admiral baron Van de Capellan and the naval forces of his majesty the king of the Netherlands under his command, for their cordial assistance and co-operation on the same occasion.

"It will be a most gratifying part of my duty, in compliance with the request of the honourable House, to make known these resolutions to the several officers under my command, and also to those of our ally acting in co-operation with his majesty's navy on that service; and I can assure you, Sir, as well in their names as in my own, that this honourable testimony of the approbation of the House of Commons will be received by them as it is by me, as the greatest reward that can be conferred upon an officer for any act of his public duty, and the recollection of it will, I am confident, stimulate our future exertions whenever our country may call for our services.

"I have now to request, Sir, that you will permit me to return you my sincere thanks for the very gracious manner in which you have been pleased to communicate to me the resolutions of the House, and the flattering expressions with which

you have appreciated the importance of the service confided to my execution.

I have the honour to be, Sir, &c.
EXMOUTH."

BALLOT FOR COMMITTEE OF SECRECY.] Lord Castlereagh moved the order of the day for proceeding to ballot for the Committee of Secrecy, which was agreed to, and the ballot ordered to proceed. The Speaker then desired the clerk to read over the names of the members in the order of their counties, and desired such members as had prepared lists of names for the committee to deliver them at the table. The clerk then read over the names of the members in the order of their counties. Many members deposited their lists in the glass now on the table. The Speaker desired the clerk to read over in the same order the names of all those members who had not answered to the first call: which the second clerk accordingly did. The Speaker observed, that it would then be necessary to appoint a committee to ascertain those members on whom the choice of the House had fallen to compose the committee.

Mr. *Brougham* observed, that there was clearly a considerable loss of time in the present mode of proceeding in the election of a committee of secrecy. About an hour had been occupied in receiving the lists in the urn on the table, and after this they must appoint scrutineers, who must retire and cast up the numbers, and then decide who were precisely the 21 members elected for the committee, as the individuals chosen freely and deliberately for an investigation, which might be so important to the interests of the country. The practice of balloting had unquestionably many recommendations for cases of this description; and the time it occupied was of little consequence when compared with the probabilities of a fair, due, and unbiassed election; but notwithstanding all this, he thought the time of the House might have been conveniently saved on this occasion, had the noble lord merely risen, and read over a list of the persons whom he intended to form the committee of secrecy. He believed he might almost venture to predict the names of all the members who would be chosen; so that the business might have been got through without the necessity of any committee of scrutiny, or of going through any sort of arithmetical operation. He should read to the House a list, which he

held in his hand, of the members likely to be elected for the committee on a subject of so much importance. Whether that list would turn out to be a true one, the result of the scrutiny would show. He then read from a paper the names of lord Castlereagh, lord Milton, Mr. Ponsonby, Mr. Canning, Mr. Bathurst, sir William Curtis, Mr. Lamb, Mr. Bootle Wilbraham, Mr. W. Elliot, The Attorney-general, The Solicitor-general, lord Lascelles, Mr. Wilberforce, sir A. Pigott, Mr. Egerton, Mr. Yorke, Mr. Rose, Mr. F. Robinson, Mr. William Dundas, Sir John Nicholl, and admiral Frank. He would put it to the House, therefore, if this list proved correct, whether the time might not have been saved.

Lord Castlereagh moved, that Mr. Arbuthnot, Mr. Freemantle, Mr. Macdonald, and Mr. Brogden, be appointed a committee of scrutiny to ascertain the 21 members on whom the election had fallen. This was accordingly ordered, and in about an hour, Mr. Brogden reported from the above committee, that they had examined the lists, and found that the majority had fallen upon the following persons; viz. lord Milton, Mr. Ponsonby, Mr. W. Elliot, lord Castlereagh, lord Lascelles, Mr. Bathurst, Mr. W. Lamb, sir A. Pigott, Mr. F. Robinson, sir John Nicholl, the Solicitor-general, the Attorney-general, Mr. Canning, Mr. Yorke, Mr. Wilbraham Egerton, Mr. Wilberforce, Mr. Bootle Wilbraham, Mr. Dundas, Mr. Rose, sir William Curtis, and admiral Frank.

There was a laugh at the conclusion of the reading of this list, it being nearly the same as that anticipated by Mr. Brougham. The list was approved of, and the committee received the necessary instruction.

PETITIONS RELATING TO REFORM, &c.] Lord *Cochrane* rose to present the Petition of the distressed inhabitants of the metropolis and the vicinity, praying for reform, agreed to at Spa-fields, on the 2nd of December last. It was signed, he said, by 24,000 names. It complained of the intolerable weight of taxation, of the distresses of the country, and of the squandering of the money extracted from the pockets of an oppressed and impoverished people, to support sinecure placemen and pensioners. It appeared to the noble lord surprising, how there could be any set of men so cruel and unjust as to wallow in wealth at the public expense, while poor

wretches were starving at every corner of the streets. The petition was drawn up in temperate, respectful language—more temperate indeed than he would have employed had he dictated the terms in which it should be conveyed. He was instructed to say, in answer to falsehoods and mis-statements that had gone abroad, that the meeting which had voted this petition had not been in the least accessory to the riots and disturbances which alarmed the metropolis on the day on which it was voted. These disturbances originated in the violence of certain persons called the Spenceans, who had adopted the wild theory, that the land of the country did not belong to the present proprietors, but to the government, who were bound to make a fair distribution of its produce among the people. Nothing could be more frantic and absurd than such a scheme; for what would ministers, who had already made such rapid strides in ruining the country, with the means put into their hands, not execute if they could grasp all the landed property of the nation? The state to which we were reduced could only have been brought about by a corrupt mode of sending members to parliament. The noble lord adverted again to his own electioneering experience at Honiton, where votes were openly, avowedly, and unblushingly sold. He could produce the bills of the money, he had paid for his seat, and could appeal to the testimony of a member of the House who saw him discharge them. When he asked who was the favourite candidate, he was told by the electors of this borough, that it was Mr. Most, for they would give their support to him who would pay them most for it. A reform was not only necessary to put an end to such disgraceful scenes of bribery and corruption, but to prevent the government from squandering the public money in procuring the return of members, who, in the first instance, cost the country the price of their seats, and ever afterwards sold themselves to the ministry. He was instructed to say, that every obstruction was thrown in the way of procuring signatures to this petition. Publicans were threatened with being deprived of their licences if they either signed it themselves or allowed it to remain for signatures at their houses. The gas-light men were likewise intimidated by their masters. The noble lord would not pledge himself for the truth of these statements; but when the people were suffering so much, when they were labouring under

the most grievous distresses of which we can have any conception, or which any tyranny could inflict, death by starvation being as terrible as suffocation in the black hole of Calcutta, he did think that they had a right to state their complaints, and to command an attentive consideration of them. The petition prayed, as a remedy, for annual parliaments and universal suffrage.—The noble lord moved that it be brought up and read, which it was accordingly.

Mr. Grenfell wished to submit to the House an observation or two in consequence of this and other petitions, although he was sensible of how little weight his opinions were. He would not touch the great question of parliamentary reform; but, feeling as he did, the blessings we enjoyed as a nation, venerating the constitution of his country from the deepest conviction of the benefits it conferred and the excellence of the institutions it protected; believing that it secured to all who had the happiness to live under it a greater degree of practical liberty and individual enjoyments than ever fell to the lot of any other nation in any other age, he could not free his mind from some alarm at the disorganizing doctrines that were now so industriously propagated—doctrines which had formerly been propagated in this country, which had been abandoned from a sense of the evils with which they were pregnant, and which he never expected to see again prevalent; doctrines which being wildly followed in a neighbouring country had produced results not only disgraceful to human nature, from their atrocity and cruelty, but destructive of liberty itself. Acting under the impression of danger from the wild schemes afloat, but not relaxing in his vigilance in watching the expenditure, and recommending every practical reduction that might allay popular irritation or alleviate national distress, he was prepared to concur in any measures that might have for their object to resist the machinations of those men, some of them deluded, but others wicked and dangerous, who under the name of reform, were endeavouring to effect revolution, and to involve the country in anarchy and confusion.

The petition was ordered to lie on the table.

SAVING BANKS BILL.] Mr. Rose, in proposing to the House a motion for leave to bring in a bill to regulate Saving

Banks, did not think it necessary to take up the time of the House by entering into any discussion upon the subject, as it had been very fully debated during the last session. There were only two clauses in the bill on which it had appeared that any difference of opinion prevailed; and these were, the clause which related to investing the deposits in the funds, and that which related to the poor-rates. As this was not the proper stage for discussing any objections to these clauses, he contented himself with saying a few words in favour of these banks, and expressed his opinion that when they came to be generally introduced, they would gradually do away the evils of the system of poor laws. When it was considered that no less a sum than seven millions was annually raised at present for the benefit of the poor, and yet that complete relief was not afforded to them, it would be allowed that any measure which tended to alleviate the pressure of the poor-rates, and to ameliorate the condition of the lower orders of society, was of the utmost importance, and deserved in the greatest degree the protection and encouragement of the legislature. He concluded by moving, "That leave be given to bring in a bill for the protection and encouragement of Provident Institutions or Banks for Savings."

Sir C. Monck said, it was not his intention to oppose the motion; but when the proper time came, he should certainly oppose the two clauses alluded to by the right hon. gentleman. He understood the object of the present bill to be to enact certain regulations for the management of the institutions in question; but as he had heard no complaint of any want of bye-laws in those saving banks already established, and as there had been no petition presented, he was inclined to think that this bill would be unnecessary, although he did not wish prematurely to express any opinion against it. He fully concurred in the sentiments of the right hon. gentleman as to the utility of saving banks.

Mr. Curwen considered it impossible that, in the event of the funds falling, any subscriber wishing to draw out his money should be able to receive the sum which in the first instance had been deposited with the directors of these provident institutions. He was of opinion, that the person funding should have this option, whether he would invest it in one fund or the other. Whatever might be thought

of their utility, he was satisfied it was an error to imagine they could essentially contribute to the alleviation of the present distressing situation of affairs. It was not a feather in the scale of our difficulties. The embarrassment was too great to be checked by such temporary expedients as this, or many others, suggested by those who were glad of having any thing to suggest. From what he had learned on this subject, he firmly believed that not seven, but more than ten millions would of necessity be levied on the public in one way or other, for the support of the poor of this country; and even that would be found inadequate to the emergency. Yet although England had already subscribed, or suffered to be levied in the shape of poor-rates, more money than all Europe beside had done for its collective poor, had those great exertions relieved them in any satisfactory degree, or had it rendered them happy? Nothing short of a measure which, in its nature, might have a compulsory influence over the minds of the people, to teach the peasantry and the poor that the means of relief, the means of content and happiness, were within the reach of their own exertion and industrious application would be effectual. From the first passing of the poor laws up to the present day, he had seen this alarming evil increasing. The poor were daily becoming more numerous and more importunate. Some time ago it was ascertained that full 13l. per cent. had been levied upon landed property; latterly, he imagined, it was not far short of 15l. per cent.; and he should not be much surprised if it amounted this year to 20l. This was the result of misconception and mismanagement. He did not like the idea to go abroad into the country, that no change was about to be made with reference to the present system. It could no longer go on, and ministers and members must join hands in remedying the grievances so generally felt both by the poor and the land-holder. In a farm near Leeds, consisting of 120 acres, he knew the proprietor had been required to contribute a guinea per week as his quota to the poor; and, at this moment, there were 800 persons, besides the regular paupers of that town, pressing upon the resources of the people of Leeds. In many instances the poor-rates were felt twice as severely as the property tax; and, before the House was prorogued, it would be necessary to come to some decisive measure upon this alarming subject.

As for saving banks, he thought they were likely to do much good, though he did not think they were likely to be resorted to by the common run of men, in such times as these.

Mr. *Rose* was anxious that it should not go forth, that he had said that the poor-rates would be diminished by the institution of saving banks. All that he said was this; that when the annual amount of the poor-rates was seven millions, it was highly desirable to employ any remedy which might tend to ameliorate the condition of the poor by stimulating their industry, and thus gradually and slowly, though still in the end effectually, operating to the diminution of the distresses of the lower orders, and consequently, as he apprehended, ultimately enabling many of the lower classes to provide for themselves, who would otherwise be a burthen on the public. As the benefits and advantages of these institutions seemed to be allowed on all hands, he would only for the present say, that he conceived that the passing such a bill as that which he intended to introduce, was absolutely necessary for the prosperity of these institutions. An hon. gentleman thought that, in the present times, these banks were not likely to do for the common run of people of the lower classes. Now against this, he would say, that they would do for the common run of people; that he knew from his own experience, that they would do; that in his own neighbourhood at this very time he knew many labouring people, who, amidst all the distresses of the times, paid a shilling a week into the saving banks.

Mr. *Wilberforce* said, that his right hon. friend proposed to introduce a system which would teach the poor what they were capable of doing by their own exertions. He therefore really felt that this was one of the class of things for which he, the House, and the country, were extremely indebted to his right hon. friend. The poor laws, no doubt, were a very heavy burthen in these times, but it was rather the administration of those laws than the laws themselves which had produced the evil. If the measure which his right hon. friend proposed did nothing more, it was much if it brought the principle into action which should gradually show the people, that they were capable of doing that for themselves which they now called upon the country to do. For his own part, admitting, in the fullest degree, the evils which the poor laws pro-

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duced, he was more inclined to attribute those evils to the mode in which the system was administered than to the defects of the system itself. The system of these laws was such, that it always enabled the poor to know where they would find relief. But whatever difference of opinion there might exist as to the poor laws, it was of all things desirable to countenance and foster so sanative a principle as that on which saving banks were founded.

Mr. *Lockhart* conceived, that it was impossible at present to alter the system of administering the poor laws. All that could be submitted to the overseers was, the immediate wants of those who applied, and the number of their families, and they were then obliged to administer relief.

General *Thornton* apprehended, that the intended bill would produce more harm than good. Last year the right hon. gentleman had withdrawn Scotland from his bill, and England was now going on extremely well without such an act of parliament. He had supported the right hon. gentleman in this measure last year, but he was now of another opinion, and thought it quite unnecessary.

Leave was given to bring in a bill.

HOUSE OF LORDS.

Thursday, February 6.

SUM DUE FROM FRANCE—FRENCH LOAN.] Lord *Holland* before going to the order of the day, was desirous of asking a question of the noble earl opposite. It was a fact well known, and had been mentioned in all the public journals, that soon after the restoration of Louis 18th to the throne of France, the chamber of deputies had voted the sum of 12,000,000 francs (500,000*l.* sterling) for the payment of the debt due from his majesty to the British government. He wished to know whether that sum had been received by this government: if so, it of course ought to be carried to account and to appear in some of the official statements of the revenue. A sum of this amount, or even a much smaller sum, was of importance in the present state of the public distress, and he was therefore anxious to know whether it had been received.

The Earl of *Liverpool* said, he did not at the present moment recollect the circumstance of the vote to which the noble lord alluded. There were sums due to individuals from the French government,

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which were under the consideration of a commission appointed for that purpose, in order to be put in a course of liquidation, according to the terms of the treaties of 1814 and 1815, but he was not aware of any sum having been received by this government from the government of France, except a part of the contribution, as stipulated by the treaties, and the sums for the maintenance of the British army in France.

Lord *Holland* observed, that the latter part of what had been said by the noble earl was sufficiently satisfactory to him, that no such sum as he alluded to had been received by this government. The fact, however, of its having been voted by the chamber of deputies, was matter of notoriety: it had been mentioned in the Journals of this country, and in all the newspapers of Europe. He did not wish to be understood as desiring that the payment of a debt should be inconveniently pressed upon the French government; he was only anxious to ascertain the fact whether it had been received. The application of the money voted by the chamber of deputies was of course a question between them and the French government with which we had nothing to do. The chamber if they dared to do it, might institute an inquiry respecting this sum, but it was of importance to know that it had not been received here.

The Earl of *Lauderdale* shortly referred to this question, upon which he observed that the vote of the chamber of deputies was matter of perfect notoriety; and then observed that there was another question, respecting which he wished to obtain some information from his majesty's ministers; he alluded to the french loan. He wished to know whether they had in any way sanctioned or guaranteed the loan from British capitalists to the French government? He could not, however, for a moment suppose that they would guarantee a transaction of that nature. The more important question to which he wished to have an explicit answer was, whether the ministers had not felt it their duty to give notice to the capitalists concerned in the loan, that they would not at any future period, in case the French government failed in their engagements, interfere to obtain for them the payment of what should be due to them? He conceived it to be essentially important that his majesty's ministers should have given that express notice to the capitalists

concerned in that transaction, because after the pernicious example afforded by the article in the late treaty with France, for the payment of sums due to British individuals, not the reduced amount that would have been due to them under the existing law of France, but the amount that would have been due to them if no reduction had been made, there could be no doubt that other individuals lending money to the French government would look forward to the same interference in their favour, if that government should fail in its engagements. Nothing could be more injurious to the interests of this country than the existence of such an understanding. The law interfered to prevent a poor artisan or mechanic from leaving the country, and transferring his industry elsewhere, and persons who attempted to export machinery, were, he believed, subjected to the punishment of death. Was it, then, to be endured, that the law which thus affected the poor mechanic, or the export of machinery, should be powerless with regard to the rich capitalist, and that he should be encouraged to export the money of the country, the great machinery upon which all our manufactures depended—the main nerve of all our resources? He could conceive nothing more pernicious to the best interests of the country, than that there should be this encouragement given to capitalists to withdraw the capital, who, with the immediate temptation of high interest, had the ultimate prospect of indemnity, if the payments of the French government failed.

The Earl of *Liverpool* said, he had no hesitation in stating, that his majesty's ministers had not sanctioned or guaranteed the French loan, nor had they committed themselves either directly or indirectly upon the subject. It was merely a private transaction, at the option and the risk of the individuals concerned, against which there was no law whatever, and with which the government had no concern. This subject, however, having been started, he felt it necessary to correct a misunderstanding which had prevailed upon it, both on the part of the public press and in other quarters. It was not a loan to be raised in London. The French government being in want of money for current expenditure, or for whatever object, applied to certain capitalists in Paris, in London, in Amsterdam, at Vienna, and Frankfort; and the fact was,

that the money was to be raised in these different places, probably great part of it in Paris, and he believed very little in London. One great and highly respectable house in London had been applied to, and the principal of that house was at the present moment at Paris, negotiating with the other parties who were to be connected with the loan. The gentleman he had alluded to, might very probably lend his credit to a considerable extent, or might induce others to embark in it, but he (lord Liverpool) had reason to believe that but a small portion of the money wanted would be raised in London, and that the greater part of it would be raised in Paris itself. All this was merely a private transaction on the part of the individuals concerned, which they engaged in at their own risk, and with which the government here had no concern whatever. There was no law against advancing money to a power in amity with his majesty, and the capitalists had a right to dispose of their property as they pleased. This kind of transaction, indeed, was not at all novel; he recollected two of the same nature with the United States of America, and with Portugal; and he believed there had had been others. The fact was, however, that, generally speaking, the security of our own funds was preferred to that of other states, and the sum that would be drawn from this country on account of the French loan, would have no sensible effect upon the money market here.

The Earl of *Lauderdale* observed, that he did not accuse his majesty's ministers of giving any sanction or guarantee to this transaction; but notwithstanding this, the noble earl had merely given an answer to that point which was not called for, and had left unnoticed the only material point, namely, whether his majesty's ministers had expressly given notice through the bank of England to the monied interest, that the improvident article in the late treaty with France with regard to British claimants, should not be drawn into precedent, and that there should be in future no interference on the part of the British government to secure to these parties the amount of their claims, if the French government should fail in the payment. If such a notice had not been given, he contended that all the pernicious effects of that article remained in their full force, and that British capitalists would naturally draw the inference from

the terms of that article, that they would be protected in their claims upon France by the interference of this government, a conclusion which necessarily tended to do away the insecurity that might otherwise attach to such speculations, and thus encourage the sending British capital out of the country, to the great and evident detriment of the public interests. As to the statement, that the greater part of the money was not to be raised here, it appeared to him utterly fallacious. He knew there was no greater house in the world than that of Mr. Baring, and he could easily conceive the reason why that house should be applied to with a view of raising money in London; but that Mr. Baring should be applied to for the purpose of raising money at Paris, was what he could not at all understand, and it seemed to him an absurdity. The real fact was, that the greater part of the money must be raised in London; there was not sufficient disposable capital in the other places mentioned by the noble earl to furnish the requisite sum. Under these circumstance, therefore, it was peculiarly important that there should be an understanding under which the capital of the country might be withdrawn to other states, particularly at a crisis like the present, when the exigencies of the country were so importunately pressing.

The Earl of *Liverpool* said, the noble earl had talked of the usual mode of communication to the monied interest through the bank of England, and had applied it to an altogether unusual transaction. The fact was, that with regard to a loan to the British government, the usual mode of communicating with the capitalists was through the governor and deputy-governor of the bank of England: but there was no usual mode of making to them mere communications. Waving, however, this objection, he wished to state, that the individuals concerned in the loan had been made to understand (it did not now signify how), that his majesty's government would have no concern, either directly or indirectly, with the transaction, nor would they at all interfere. As to the argument, however, of the noble lord, that they ought to have engaged that there should be no future interference, under any circumstances, in their favour, how was it possible for any ministers to engage for their successors, or for any future government? All they could do was as they had done, to pledge themselves, it was

impossible for them to engage as to what might be negotiated in any future treaty by any future government, under the circumstances in which that government might be placed. There was, however, this to be said with regard to the article in the treaties of 1814 and 1815, that in the security given to British creditors on the French government, that it was not awarded of itself, but was made the object of a special stipulation, in which a sum was given up by this country, and therefore that it did not afford that unqualified precedent contended for.

Lord *Holland* observed that the noble earl who usually stated arguments very fairly, had not dealt so fairly with his noble friend, with regard to the usual communication through the bank of England to the monied interest. What his noble friend had contended, and he thought most justly, was, that an express notice should have been given to the capitalists, that this government would not at all interfere in their favour, if the French government should not make good its engagements. The noble earl said, that his majesty's ministers could not bind their successors: be it so, but then what followed? undoubtedly, that there ought to be a resolution of both Houses of Parliament, declaring the improvidence of the article in the treaties in favour of British creditors on the French government, and that it should not be drawn into precedent. He disclaimed, in strong terms, the idle opinion, that monied men should be restrained from employing their capital where and how they thought most conducive to their interests. He deprecated any misconstruction of his sentiments into the most distant censure of the contributors to the French loan. Such censure would be as opposite to his opinions as his wishes. Neither law nor government had any right to interfere with the disposal of capital, which after all, would and ought to go where the interests of those who possessed it required. He should say of the contributors, if utter strangers, that they acted irreproachably, fairly, and honourably; much more so of Mr. Baring, with whose excellent understanding, and pure and honest principles in public and private life, he was well acquainted. On no man on earth would he be more unwilling to cast a reflection for many reasons, and among them this, that no man could deserve it less. No, it was fair in him, or

any man, to concur in the loan; it was not fair in government, or even in parliament, to allow an unnatural encouragement of their own creating and sanctioning, to exist without a disclaimer—he meant the article in the treaty which protected, at the expense of the public purse, the interests of private British creditors. It operated as an inducement to place capital in a similar way at this period of distress, when the transference of large sums from England was a great evil, and when perhaps but for that very inducement of our own creating, there would be few motives for trusting to the stability of French credit or French governments. It was base to censure men for being swayed by such encouragements, but it was foolish to allow such encouragements to exist.

The Earl of *Lauderdale* said, that as communications were admitted by the noble earl to have been made by the ministers to the parties concerned in this loan, and as he presumed these communications must have been official, he gave notice of his intention to move on Monday, that these communications be laid upon the table.—The lords, on the motion of the noble earl, were then ordered to be summoned for Monday.

VOTE OF THANKS TO THE MARQUESS OF HASTINGS—NEPAUL WAR.] The Earl of *Liverpool* said, that in proposing to their lordships to give a vote of thanks to the marquess of Hastings, and to the army which had been engaged in the late campaign in the Nepaul territory, he should not call for any opinion on the justice or necessity of that war. The vote he should move was one in which he had no doubt of their lordships concurrence, as it would merely express their approbation of the plan of the campaign, and of the operations which had led to its successful termination. In reference to what had been said by a noble lord the other evening, as to difference of opinion respecting the prosecution of the war, he must observe, that the statement was founded in error. That noble lord was completely wrong in supposing that any protest had been made by certain members of the council in India against the war. With respect to the justice and necessity of commencing hostilities, there certainly was no difference of opinion in India; and it also had been the opinion of the government of this country, that in order to check the encroachments and aggressions

of the Nepaul power, no other remedy remained but an appeal to the sword. A series of encroachments had taken place, which no government valuing its character could have overlooked. These aggressions, which it was necessary to check, inflicted an evil, not only on the British dominions in India, but on those of our allies. He begged leave to repeat, that neither by what he had now said, nor by the vote which he should move, did he wish to call for any opinion from their lordships on the transactions to which he had alluded; but he had thought it necessary to address these few observations to their lordships, lest the statement which had fallen from a noble lord on a former night should have produced an erroneous impression. With regard to the particular objects to which he had to call their lordships attention, it was not by the force of the enemy, or the value of the country subdued, that the merit of the victory achieved by our troops was to be estimated; but the contest took place under circumstances which called for a very considerable degree of ability and military talent in those who had to carry it on. All the operations were executed in mountainous districts; and long and judicious preparations were necessary to insure a probability of success. The contest, though short, was severe, and in none could exercise of military skill and judgment be more requisite. He would not trouble their lordships with any details of the operations. The accounts were before the public, and to them he should refer for the truth of the character he had given to this campaign. With regard to the conduct of the governor-general, he should observe, that he had no alternative but to act as he had done. He concluded by moving, "That the thanks of the House be given to general the marquess of Hastings, for his judicious arrangements in the plan and direction of the military operations against Nepaul, by which the war was brought to a successful issue, and peace established upon just and honourable terms."

After a few words from earl Grosvenor, the motion was agreed to; as was a vote of thanks to major-general sir David Ochterlony, and the officers and troops under his command.

HOUSE OF COMMONS.

Thursday, February 6.

PETITIONS RELATING TO REFORM,

&c]. Lord *Cochrane* rose for the purpose of presenting a petition, signed by 30,050 of the inhabitants of Manchester, praying for a radical reform in parliament, and for the abolition of sinecures and pensions. He thought it his duty to state that he had read the petition, but that he could not take upon himself to be responsible that the language of the petition was such as the House was likely to think unobjectionable. At the same time, he thought there was nothing in it very violent or obnoxious, although the petitioners stated their grievances in strong terms. After stating that the distresses of the people at the present moment were such as to justify their stating their complaints to the House, he took the opportunity of mentioning that he had calculated the comparative amount of the contributions of some of those who had put their names to the subscriptions for the relief of the poor, with the annual amount of the sinecures which they held; and it was with much pain that he found that no sinecurist had paid above a penny in the pound on the annual amount of his salary. One noble duke had paid only 16-17ths of a farthing in the pound on the income which he derived annually from his sinecure. For the present, he would content himself with moving that the petition should be brought up, not taking upon himself any responsibility as to its contents, farther than the rules of the House required with relation to his motion. He then moved that the petition be brought up.

Mr. *Brougham* observed, that the noble lord unintentionally he was convinced appeared to him to have taken the only method that could be adopted to prevent the petition from being read. It was signed, it seemed, by 30,000 of his fellow subjects, and the noble lord must doubtless be anxious that it should be read; but in order to attain that object, it was not necessary he should voluntarily inform the House, before any question was asked, that it contained matter which might be deemed objectionable. The rule had been so laid down by the chair, and sanctioned by the decision of the House. It was enough for any member, when he had a petition to present, to move that it should be read, and if no other member expressed his doubts of the propriety of its language, the House would assume that it was not improper; but he apprehended it was utterly inconsistent with parliamentary usage for a member gratuitously to state that he had read a petition, and then

to give his opinion, that it was couched either in respectful or disrespectful language.

Lord *Cochrane* said, that knowing the petition contained expressions precisely similar to those which had been found in others rejected by the House, he thought it his duty to mention it, that he might not incur their censure for appearing to disregard their recent decision.

The petition was then brought up and read. It was couched in the same language, with one exception, as the petition from *Saddleworth*, presented by the noble lord on the second day of the session. When the clerk had read the first sentence, stating that the House of Commons was in no rational or constitutional sense, the representatives of the nation, and that a House so constituted, was a subversion of the constitution,

Lord *Castlereagh* observed, that it would be unnecessary to trouble the House with any further perusal of it, for being expressed in language similar to that which had caused the rejection of a former petition, they had only the same course to adopt on the present occasion.

Lord *Cochrane* hoped the House would not reject the petition upon the reading of a single line or two.

The petition was then read throughout, and lord *Cochrane* moved that it should lie upon the table.

Lord *Castlereagh* repeated his former objections, and urged that, as the petitioners described that House as an usurpation upon the constitution, no other arguments would be required to induce them to reject the petition.

Mr. *Brougham* said, he had thought the present petition was precisely the same as the one which the House had formerly rejected, from the observations of the noble lord who presented it; but now, upon its being read, and that was one of the advantages of reading it, it turned out to be very different. If he rightly recollected the proceedings on the former occasion, the objectionable passage of the petition related to what the petitioners called, the tedious and disgusting debates of that House; and upon that ground the petition was rejected. That passage however, was now left out. He admitted the words of the petition were not very prudent or very moderate, but in substance, they contained no other statement than what every man must use who supported the question of parliamentary reform in that

House. Had the words "constitutional and rational" been left out, the sentiments of the petition would have been much more objectionable, in his opinion, for then they would have amounted to an absolute denial of their functions and authority.

The *Chancellor of the Exchequer* said, the former petition was not rejected on account of that single libellous and insulting passage alluded to by the hon. and learned gentleman, but from its whole tenor. The present petition was the same in every respect, except that one paragraph, as the former, and that paragraph had been supplied by another equally offensive; for the petitioners now stated, that "in all the discussions of that House they saw nothing but a direct tendency to keep the people in all times under the unrelenting lash of a taxation, which already exceeded the utmost extent of human endurance." He thought that House would exceed the utmost extent of human endurance if they suffered such a petition to lie on the table.

Lord *Cochrane*, with reference to the passage which had just been read, could only say, that he conceived it to be true that the misery now suffered by the lower classes of society had got to the utmost extent of human endurance. He could only say, with respect to what had fallen from the hon. and learned gentleman, that when he read this petition he conceived it to be in exactly the same language with that which the House had rejected, and that not intending to press upon the House what they had already rejected, he thought it his duty to preface his motion with the statement which he had made.

Mr. *Curwen* acknowledged that the expressions were strong, and the conduct of the petitioners highly injudicious; but the House should rather extend the principle of free petitioning than seek to limit it. The language might indeed sound harshly to their ears, but it must be allowed, that while the people approached the House with their petitions, it was a perfect acknowledgment of the power and authority of parliament. A petition, of a nature at least as offensive as the present, had some years ago been presented to the House. It stated that the sale of seats in that House had been as notorious as the sale of cattle in Smithfield; and yet, when objections were raised against its being received, Mr. Pitt himself contended for its admission, on the principle that more injury must result from its rejection. If there were in

the country any class of persons desirous of stimulating the people to acts of violence, must not the House be aware that their objects would be seriously advanced if the petitions of the people were rejected.

Sir *J. Sebright* said, no man was more desirous to facilitate and extend the right of petitioning than himself, and there were many things prayed for in the present one, such as reform, economy, &c. which had his cordial support. But so long as he had a vote to give, or a voice to raise, in that House, he would use them both against receiving any petition, the language of which was evidently to convey an insult. He knew there was a set of men in the country, who studiously endeavoured to induce the people to word their petitions in such a way as would occasion their rejection, in order to promote their own views [Hear, hear!]. If the House wished to be respected out of doors, it must continue to respect itself. The cause of reform and retrenchment was one which he would always advocate; but he saw no reason why the members of that House should, in their collected state, consent to put up with language which no man singly would endure; and therefore he should vote against allowing this petition to remain on the table.

Mr. *Lockhart* contended, that it was impossible to collect the real sentiments of the people, from the manufactured petitions which were prepared by others for their signature. He had never heard or read of any legislative assembly in any country, who were respected, trusted, and looked up to, in proportion as they suffered themselves to be insulted. An hon. gentleman opposite had said it would be more magnanimous not to notice such language. He confessed he did not understand that sort of magnanimity which consisted in the tame endurance of an injury. He believed that persons who used that kind of language, in speaking of the unconstitutional nature of the House of Commons, did so, in order, if any concession should be made, if any reform granted, that they might be able to deny their validity, and thus endeavour to render them abortive.

Sir *F. Burdett* said, he thought the dignity of the House would be best consulted by reforming its own abuses. The present petitioners might perhaps be somewhat indecorous in their language, but they had great and strong grievances to represent; and unless there was something extraordinarily offensive, something unlike what

had ever been tolerated in any former petition received by the House, he did not think it would be prudent to reject it, in the present situation of the country.

Lord *Cochrane* wished the noble lord, or the right hon. gentleman opposite, would state the particular sentences or expressions that were objectionable, that they might be avoided in future petitions.

The House then divided, when the numbers were, Yeas, 17; Noes, 50. The petition was consequently rejected.

VOTE OF THANKS TO THE MARQUESS OF HASTINGS—NEPAUL WAR.] Mr. *Canning* said, that in rising pursuant to his notice to call the attention of the House to the gallant conduct of our army in India, he was aware how comparatively deficient in importance it would appear when contrasted with the brilliant achievements and splendid victories of our armies in Europe. He was aware that distance operated to diminish and to obscure. He was aware, too, of the degree of interest which attached to those transactions nearer home, on which depended, not the preservation of any distinct branch of our empire, but our national safety and independence. But under all the disadvantage of such comparisons, he felt that both justice and policy made it incumbent on the House, not to pass over without notice those transactions which had lately taken place in India. Justice was not local or comparative. With whatever feelings the soldier went forward to his task, whether in a distant country or nearer home, he exerted all his energies and incurred equal dangers. And in India, where our army was opposed to a force of a very peculiar nature, and fought in a strange country under many disadvantages, their achievements were not less severe or less difficult, and the House would feel that it ought rather to seek than to shun an opportunity of showing these gallant men that their services were duly estimated. But he thought that there was good policy in noticing any achievements in our Indian empire, because it would show that the House had a watchful eye over the most distant part of his majesty's dominions, as much to give praise where it was due, as to control where there was blame. The country of Nepaul, which was the scene of the actions to which he wished to call the attention of the House, was some years ago probably almost unknown to most members of the House. It had grown

up into importance within the last few years. Its situation was that adjoining the British empire in India, along the borders of which it extended for 600 or 700 miles, with the exception of a comparatively small interval. It was ruled by what was in practice and theory a conquering government. The incitement of ambition and the experience of success had made it singly an object of danger; besides which, it was a rallying point for those powers which might be disposed to attack the British possessions in India. It was the only power which had never bowed its neck to a Mahomedan conqueror; and those who knew how much Mahomedan conquest paved the way for British dominion, would understand how much the more formidable the Nepal power was by its having successfully resisted it. The power which was now called Nepal, had not existed above half a century. It was in the year 1767 that we first became acquainted with it. In more early times the whole tract of country which it lately embraced was laid down as occupied by a series of independent states. At the period which he had mentioned, the attention of the government of Bengal was first called to Nepal by an attack made by it against one of our Indian allies, in consequence of which an expedition was fitted out and sent against it, but it was quite unsuccessful. The impression made by this defeat was, of course, very unfavourable to the British interests; and its results tended to increase the Nepal power, by enabling it to extend its territories. From the union of Nepal with Goorkha, and some other smaller states, arose that power which had been extending and enlarging itself by successive occupations, from the year 1798 to 1808, when it made the aggregate power, and comprehended the extent of territory which he had described. They were a very warlike people, and made many incursions on the neighbouring powers. In 1791, they fitted out an expedition, and committed some acts, which drew down upon them the wrath of no less vindictive a sovereign than the emperor of China, with whom they were then compelled to make a tributary league. After that they turned their forces towards the west, and endeavoured to conquer the territory of Cashmire, an enterprise in which they did not succeed. But from 1804 there was no year during which they had not some quarrel with the East India Company, or some of its allies.

Border quarrels certainly might sometimes be passed over. But those who knew that country must know well the importance of not tolerating any aggression, or passing over any insult, which might tend to shake the British influence in India. Such was the impression made upon the government in this country by the representations of the Bengal government, respecting the aggressions of Nepal, that orders were framed for the purpose of directing that very course of conduct which had then already been adopted by lord Hastings. Before recourse was had to hostilities, every mode of remonstrance and negotiation had been exhausted, and, apparently, with such success, that the Bengal government, more than once, thought that all disputes and differences were at an end. But it was found that during these negotiations they had taken forcible possession of a neighbouring and friendly state. Then it was seen that forbearance had extended too far, and recourse was had to arms. It would be unnecessary for him to take up the time of the House by attempting to give the details of a military campaign, where there were so few of the common data to proceed upon, which was carried on in a country with the geography of which we were for the most part unacquainted. The chief purpose of the war was to detach from the Ghooorkha power its more recent conquests. But no addition to the territories of the British empire was contemplated, except where there were no means of restoring the former governments. The campaign ended by leaving no less than one-third of the Ghooorkha dominions in the power of the British, and by the rest being restored to its former condition. In the conduct of the expedition the names of sir David Ochterlony, of general Gillespie, and of colonel Nicholls, were particularly distinguished. The second of these brave officers he might be permitted to name more particularly, as he fell while gallantly leading on one of the first attacks made in the campaign, which was on the fort of Kalunga. It had been said of this attack, that he had made it rashly; but if rashly, the error had been atoned by his fall. The failure in the first attacks upon the fort had been nobly retrieved by the wonderful success of sir David Ochterlony, the result of whose operations was, that at the end of the campaign he was left in possession of the whole territories of the enemy, to the western point of Ghooorka.

This success led to negotiations, the result of which was such as he had stated. The war was then thought to be concluded, and so certainly was this opinion entertained, that it was announced in the Speech from the throne at the end of last session. But a new and perfidious aggression on the part of the Nepal government made it necessary again to have recourse to arms; and general Ochterlony was on his march to reduce the enemy to submission, when he was stopped in his progress by the news that the treaty was ratified without any alteration in its terms. The governor-general felt that enough had been done against this state; that its power was sufficiently crippled, and its resources exhausted, without pursuing to extermination a war which might be ended with security and honour. Thus ended a power which held out the appearance of growing into a formidable and dangerous rival, and threatened the safety of our Indian territories; but with which we were now happily not only on terms of amity, but of friendly intercourse. It was now so reduced and humbled, that it could no longer be looked upon by any of the native powers in India as a rallying point for the enemies of the British government. The firmness and moderation of the governor-general led to this result. On this short statement he hoped he might venture to found a motion for the thanks of the House, to him, and to the officers and the army by whose exertions the war had been brought to a successful issue. He had abstained from details on which he was not competent to enter, and which were not required. He hoped he had refrained from any exaggerations. The result of this war he believed to be a source of safety—certainly of honour and glory to this country; but in its future consequences of an importance not easy to trace. He concluded by moving, "That the thanks of this House be given to general the marquess of Hastings, knight of the most noble order of the garter, governor-general of the British possessions in the East Indies, and commander in chief of the forces there, for his judicious arrangements in the plan and direction of the military operations against Nepal, by which the war was brought to a successful issue, and peace established upon just and honourable terms."

Lord Morpeth alluded to the necessity of supporting the moral force on which our empire in India was founded, and
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observed, that nothing could do that so effectually as preserving inviolably our good faith with the natives. The noble lord expressed his concurrence in the vote of thanks to the governor-general.

Mr. Brougham did not intend to oppose by any means the vote of thanks to the noble marquis, although he had heard that a diversity of opinion existed with respect to some of the measures pursued by the noble marquis. Under these circumstances, he should have thought it not inconsistent with the respect due to parliament, that ministers should have given the House some information, by presenting papers upon the subject for its perusal. The difference of opinion, as to the policy and conduct of the war, to which he alluded, existed in a quarter well known to that House and the India board. Mr. Edmonstone and Mr. Dowdeswell's names were familiar to all persons conversant with Indian affairs; one had been at the head of the military, the other at the head of the civil department, during a splendid career of successes, and an able administration of our affairs in that part of the world, not to be equalled in the history of India, or of any of our colonies. He alluded to the distinguished period of the marquess Wellesley's administration. He, however, could not but feel it a duty particularly gratifying to the House, to return thanks to the gallant and meritorious officers and soldiers concerned in the operations of that campaign. Yet even here he could not but regret that, a set of arrangements had been made by the institution of the new order of the bath, by which all officers in the East India service who had not attained the rank of major, were excluded by positive regulations from becoming members of that order, as well as all officers engaged in affairs previous to the present war. There was an exception to the first rule in favour of such captains as had been appointed captains in the field, from the circumstance of their superior having fallen in action. By these arrangements it would be seen, that most of the officers engaged in that war, which, in 1799, had, under the conduct of the marquess Wellesley, completely overthrown the power of the most inveterate and dangerous enemy of the views of this country, Tippoo Saib—were, notwithstanding such gallant exploits, precluded from the only order of merit now known to our military establishment. Hence it arose, that the time

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of service necessarily required to become a major in other branches of our army might be taken at about six years, while an officer in the eastern service would not be eligible who had served almost twenty long years, in an unhealthy climate, at an immense distance from his native country, and under many inconveniences and privations, not known to other services. Something ought, therefore, to be done immediately, to render the distribution of honours more equitable. Formerly medals had been given to reward the services of individuals. This practice had, since the late great extension of the order of the bath, been discontinued. Without expressing himself invidiously, he must say, that most assuredly this was not an arrangement which would have been sanctioned by the concurrence, had they been consulted, of either the marquess Wellesley, or the gallant duke his brother: the former would have too well appreciated the merits of his faithful and deserving servants, during the period of his distinguished career; the latter would never have consented to disqualify his gallant companions in arms from receiving the reward of all their severe toil and laudable exertions.

Mr. Canning, in consequence of what fell from the hon. and learned gentleman, thought it necessary to observe that it was totally a mistake to suppose that any difference of opinion as to the policy of the war existed between the marquess of Hastings and his council.

The motion was agreed to *nem. con.*

Mr. Canning then moved, 1. "That the thanks of this House be given to major-general sir David Ochterlony, Knight Grand-Cross of the most hon. Military Order of the Bath, for the skill, valour, and perseverance displayed by him in the late war with Nepal, to which the successful result of that contest is mainly to be ascribed; and also to the several officers of the army, both European and native, for the bravery and discipline displayed by them in that arduous contest. 2. That this House doth highly approve and acknowledge the general discipline and bravery displayed by the non-commissioned officers and private soldiers, both European and native, employed against the troops of Nepal, and that the same be signified to them by the commanders of the several corps, who are desired to thank them for their gallant behaviour."—Agreed to *nem. con.*

BANKRUPTCY REPRESSION BILL.]

Mr. Lockhart rose, according to notice, to move for the introduction of a bill to amend the bankrupt laws. He conceived this subject to be one of the highest importance to the honour, the honesty, and the morals of the country, and was sorry it was to be his misfortune to bring it forward in so thin a House. The evil of which he complained, was the multiplication of fraudulent bankruptcies to an extent which threatened the most frightful consequences to the commerce and morals of the country. He was far from meaning that kind of bankruptcy which had been on so many instances of late occasioned by the fluctuations of our currency, or the precarious situation of trade. Neither did he mean, for the prevention of the evil to which he alluded, to propose the formation of any new tribunal, or to throw any onerous burthen on the courts that already existed. His remedy should contain very little of novelty in it. The notorious evil to which he now adverted, was defined in the very first statute passed on the subject of bankruptcy in the reign of Henry 8th. The preamble of that statute spoke of the practice of men obtaining possession of other people's property by fraudulent means, and then fleeing into foreign parts. Notwithstanding the numerous statutes which had passed successively since then, fraudulent practices of this nature were daily on the increase; and this increase he was inclined to ascribe to the mode of examination pursued by the commissioners, which was mainly directed to the point, whether the bankrupt had concealed any part of his property, and only incidentally, if at all, to the arts by which he came into possession of that property, or how he had made away with it. When satisfied on the first of these points, the commissioners generally agreed to sign his certificate; the next part of the process was, for the bankrupt to obtain the signatures of 3-5ths in value of his creditors, and that once obtained, the whole only awaited the fiat of the chancellor. Thus the bankrupt was again let loose on the world, whatever his fraudulent practices might have been; without any distinction of character being made between him and the honest bankrupt, who had failed in his engagements through unavoidable misfortunes. The mode of remedy he meant to propose was, that the commissioners instead of investigating merely whether the bankrupt

had fraudulently secreted any part of his property, should also inquire into the means by which it came into his possession, and how he had made away with it: that they should examine into the whole of his transactions, and report on his conduct, which report should be submitted to the lord chancellor before he granted the certificate, together with their opinion whether it was proper that such a person should go free into the world. This, he conceived, would be attended with little difficulty or burthen on the commissioners, who now amounted to about 70 in number. If he recollected aright, there had been only two or three persons executed under the act making it felony for a bankrupt to conceal his property: one of these persons, of the name of Clark, said, on his examination by the commissioners, that the fact was, he had spent the property which had come into his hand on wine, women, and other extravagancies; but the commissioners, not believing this account, ascertained the fact of concealment, and on the evidence brought forward he was executed. He meant it, therefore, so to form part of his bill, that the commissioners should inquire into the means by which the bankrupt got the property into his possession, and how he had spent it; and also that a particular day should be set apart for such examination. The bill which he proposed was, in fact, founded on the principle of the insolvent act, which prevented fraudulent persons from taking the benefit of that act, and remanded them back to confinement for a period of five years. This was the penalty he proposed for the punishment of fraudulent bankrupts, and which had this additional recommendation, that it introduced a uniformity into our law in regard to fraudulent debtors. He concluded by moving, for leave to bring in a bill, to make better provision for the repression of bankruptcy.

Leave was given to bring in a bill.

HOUSE OF COMMONS.

Friday, February 7.

PETITIONS RELATING TO REFORM, &c.]

Mr. Calvert rose to present the petition of the lord mayor, aldermen, and livery of London, in common hall assembled, praying for a reform in parliament, for public economy, abolition of sinecures and unmerited petitions, and for triennial parliaments. How the petition came into his

hands, he really could not explain, for it was usual when the city of London petitioned parliament to have it presented by its own members; but he supposed some of those hon. gentlemen would be able to account for it. Having the honour, however, to bring it forward, he should merely observe, that the petitioners prayed for a general reform, but wished for no dangerous innovations. They duly valued and appreciated the constitution of this country, not the impaired constitution as it now existed, but that constitution which our ancestors obtained and transmitted to us. Upon that point, he could not do better than employ the words of the petitioners themselves: "disclaiming all wild and visionary plans of reform, we are not ignorant of the nature, nor insensible of the value of our glorious constitution; in theory the most sublime and matchless exhibition of human wisdom, the admiration and envy of surrounding nations." Such was the language of the petition, and abstaining himself from entering, on the present occasion, into any of the topics which it embraced, he should merely move that it be brought up and read.

Mr. Alderman *Atkins* said, he could relieve the hon. member from all doubt as to how the petition came into his possession, by stating that it was because himself and his brother representatives were not thought worthy of presenting it. The reason he had not been intrusted to present the petition was, that he would not pledge himself to support, without any consideration, a measure of such importance; he had been called on to present and support. But he had never been present when such a measure had been canvassed: whenever it should, he would give it his best consideration. Perhaps some little alterations might be desirable; and when the measure should be discussed, he should be ready to express an opinion; but his constituents would not be satisfied unless he would support the measure right or wrong, though it could not yet be agreed what measure should be adopted: nay, they had not agreed among themselves: two out of five parts had voted for annual parliaments, and the remaining three for triennial. He had thus shown the reason why the petition did not come by him, and he hoped the hon. gentleman who presented it was ready to support it right or wrong.

Sir *W. Curtis* said, he had made up his mind upon the matter. He was not in

the situation of the hon. alderman, for he had sat in that House on many occasions when the question of parliamentary reform was agitated, and he was satisfied the constitution of that House was just what it ought to be. He was sure all the new regulations which they wished to adopt would not mend it; and to use an old adage, "it was best to let well alone." Entertaining that view, he had therefore declared he would do all he could to oppose the petition. The hon. member who presented it, was, on the contrary, if he had read it correctly, a friend to annual parliaments and universal suffrage.

Mr. *Calvert* said, the hon. baronet was misrepresenting him. So far from being a friend to the scheme of annual parliaments and universal suffrage, he considered them as most wild and dangerous. All he wished was, that the decays of the constitution should be repaired.

Sir *W. Curtis* said, he was sorry he had misrepresented the hon. member, and he was afraid it was owing to his eyes not being so good as they were [a laugh]. He had at least construed the speeches he had read of that hon. member in that way.

Sir *James Shaw* approved of that part of the petition which prayed for economy and reduction; but the reform required, appeared to him visionary. Every thing called for retrenchment, and he thought the magnanimity with which the people had endured the burthens of the late contest, entitled them to every relief which his majesty's ministers could give.

The petition was then read.

Mr. *Ponsonby* said, he rose merely to observe upon what had fallen from the worthy alderman, as to the sentiments expressed by his constituents with respect to their representatives. The worthy alderman said, that all the members of the city were deemed unworthy of the confidence of their constituents. With the greatest respect for the worthy alderman, he must however beg leave to contradict that assertion. He was sure, if the worthy alderman recollected himself, he would not say that the four members for the city were unworthy of confidence. He might affirm that himself, and two others, had forfeited that confidence; but he would surely add, that there was one, who would not have been declared unworthy of it, if he had been capable of attending the meeting of the common hall.

Mr. *Calvert* said, he must leave it to

the city members themselves to find out why they were not trusted; he could only say, for himself, that the petitioners did not exact any pledge from him to support the prayer of the petition. He was willing, however, to declare his intention of supporting any plan of reform which that House, upon mature deliberation, might deem wise and proper. Some reform was unquestionably necessary. A noble lord, on a former occasion, had stated the way in which he got into parliament for the borough of Honiton, by sending the bellman round the place, and offering ten guineas a piece for votes. He also could state a fact, which showed the defects of the present mode of representation. He was one of six persons who had sent two members to parliament, and for which each member paid 4,500*l.* [Hear, hear!] Such a system ought not to exist.

Mr. *Lambton* said, he certainly understood the worthy alderman to affirm that all his brethren were convicted of being unworthy to present the petition now before them. He rose, however, for the purpose of stating, that he entirely concurred in every thing expressed by the petitioners, not only in what related to economy and retrenchment, but in all that concerned a reform of that House. The time was now come when it would be no longer possible to delay the inquiry; and he trusted they would not only correct the abuses which existed, but, in a steady, temperate, and dignified manner, investigate the causes of those abuses. After what had been stated by a noble lord, it was too evident that seats might be obtained in that House, by money, by interest, or, indeed, by any means, but that of the fair, unbiassed, and unbought suffrages of the people. He was as little disposed as any individual to sanction those wild, foolish, and disgusting principles of reform which were promulgated by certain persons out of doors—principles (if they could be called so) which were founded upon the subversion of our constitution, upon the destruction of social order, and of all that was wise, permanent, and useful in our invaluable system of law and government. The disturbances occasioned by those men had at least been attended with one good consequence—they had developed the character of the instigators, and shown how few they were in numbers; and hence, from their absolute insignificance, it became more imperiously the duty of that House to inter-

fare for the rest of the country. The path they had to pursue was plain and simple. The petitioners implored from the House that redress of their grievances which the government had denied them. Let that House prove that such solicitations were not made in vain. Let them prove that they had other functions than merely to authorize the infliction of taxes; that they still possessed, and were prepared to exert, the loftier power of enforcing the constitution, of protecting the people, of stemming the corruptions of government, and of restoring the nation to its just rights and privileges, upon the principles consecrated by the Revolution.

Mr. Wynn said, he did not wish to take up the time of the House with any observations upon parliamentary reform, a notice upon that subject had been given, and when it was regularly brought forward, and some distinct propositions submitted, then would be the time for entering into the discussion. He did not see, indeed, how any arguments could properly apply, before such propositions were presented, for the question of reform, generally, involved every topic, from annual parliaments and universal suffrage, down to the disfranchising a particular borough, against which gross and notorious corruption had been proved. Some allusions, however, had been made to the declaration of a noble lord, who stated, on a former night, the way in which he first came into parliament for the borough of Honiton; a statement which he heard, and he believed the whole House heard, with a disgust which it would be difficult to describe. He was aware, from the length of time that had elapsed, the noble lord was now exempt from the penalties he had incurred. But was that all? He should have thought that no member could have stood up in that House, and gloried in his misconduct—gloried in his violation of the privileges of that House, his violation of the liberties of the subject, and of the principles of the constitution. Could they have expected that the noble lord himself would now turn round, and reproach those whom he had seduced into that crime? For a crime it was against the constitution of the country. Another hon. member had likewise stated, that he was one of six who returned two members to parliament, those members paying each 4,500*l.* for their seats. He knew not what period had elapsed since that transaction; but that

also was a great substantive offence, and he owned he could not understand upon what principle hon. members in that House ventured to boast of crimes against the constitution, and common law of the land.

Mr. Calvert desired to explain. The hon. gentleman had totally misunderstood him. He had spoken as if he (Mr. C.) had been one of the persons who had been engaged in the sale of the borough, and had participated in the profits. The fact was quite the reverse. It was he (Mr. C.) himself, who had been sold, before he gave his vote, and he did not know it. This was the most grievous circumstance that he had to complain of.

Mr. Wynn admitted that he was entirely under a misunderstanding; although he did not conceive that the hon. gentleman had participated in the money. But the fact ought to be known, and he would have served his country most effectually by assisting in bringing the criminal to justice.

The petition was ordered to lie on the table.

Sir Francis Burdett presented a petition from Bradford, which being read by the clerk, was found to be exactly similar to those rejected by the House.

Lord Castlereagh could not help regretting, that such petitions were manufactured by individuals in town, and signed by persons in the country, who appeared not to be aware of their nature. He felt it his duty, to move that this petition be rejected. It was impossible for the House to receive petitions containing such gross insults to its authority, and which he believed did not contain the real opinions of the people, but merely of those who drew them up.

Mr. Brougham—I do not rise, Sir, with any intention whatever to put off that important discussion, which is the more immediate business of this evening, nor do I mean in any respect to oppose what has just fallen from the noble lord. I cannot, however, help saying, that I decidedly differ from the opinion he has laid down respecting manufactured petitions, and I shall shortly state why I do so. No man can hold in more abhorrence than I do the idea of petitions being systematically drawn up, and dispatched for signatures to different parts of the country. I would with much greater pleasure hear the plain statements of the petitioners themselves, although expressed in vulgar language,

than hear those grievances of which they complain, stated in the finest sentences, or the most logical manner. We should thus be better enabled to decide what were the real sentiments of the people, than it is possible for us to be from such manufactured statements. Yet I warn the House not to believe, that because such petitions are thus drawn up, they do not contain the sense of the people. It does not follow, because two petitions are the same in language, that the persons signing those petitions are indifferent to, or not aware of, the real objects for which they petition. I have, Sir, spoken to individuals repeatedly, who attended public meetings for petitioning parliament, and have been told by them, that finding petitions prepared at these meetings, finding them, if I may use the expression, cut and dry, they have signed them. It would therefore be a monstrous proposition, to suppose that because half a million of the inhabitants of this country had signed petitions in exactly the same words, they were therefore insensible of the grievances under which the country was labouring, and were not desirous for a reform, and of a complete and radical retrenchment in the expenditure of the public money. This I particularly wish to impress on the attention of the House, and I call on any gentleman to show me a single instance, where one individual who has signed such petitions has ever come forward to deny his being aware of the nature of what was stated in these petitions.

Sir *F. Burdett* was astonished that objections were taken to petitions without specifying the words objected to. The principal objection to this petition was its being manufactured in London, and sent to the country. It however was rather singular, that ministers never made similar objections when the petitions were in their favour; a pretty good instance of which was seen in the petition lately handed about by the merchants, bankers, and traders of London, and which without doubt was manufactured in a corner. It was well known, that at all public meetings, petitions and resolutions were always prepared before hand, in consequence of its being understood, that the general principles on which such meetings were convened were agreed on. The people now felt their grievances, and it was, therefore, not prudent to check them on a mere criticism of words. He saw no words in the present petition which could

warrant its being rejected, there was no proof whatever of any intention on the part of the petitioners to offend the House, and when such was the case, it certainly was the duty of the House not to reject the petition.

The petition was rejected.

MOTION FOR A COMMITTEE ON THE PUBLIC INCOME AND EXPENDITURE.] Lord Castlereagh moved, that the part of the speech of his royal highness the Prince Regent, at the opening of the session, particularly addressed to the House of Commons, be now read, and it was accordingly read by the clerk as follows:

"The distresses consequent upon the termination of a war of such unusual extent and duration have been felt, with greater or less severity, throughout all the nations of Europe, and have been considerably aggravated by the unfavourable state of the season.

"Deeply as I lament the pressure of these evils upon this country, I am sensible that they are of a nature not to admit of an immediate remedy; but whilst I observe with peculiar satisfaction the fortitude with which so many privations have been borne, and the active benevolence which has been employed to mitigate them, I am persuaded that the great sources of our national prosperity are essentially unimpaired, and I entertain a confident expectation that the native energy of the country will at no distant period surmount all the difficulties in which we are involved."

Lord Castlereagh observed, that in calling the attention of the House to that part of the Prince Regent's speech which they had just heard read, and to the subject to which the passage in question related, he was confident that every member would feel, that the attention of the House had never been called to a subject in which the vital interests of the country were more deeply involved. It had been the misfortune of those who had for many years past sat as representatives in parliament, to have had that duty to perform in times in which the intervals of peace had been so short, that the whole scope of public measures and expenditure had been calculated upon and governed by a war policy. Notwithstanding, however, the burthens which they were under the necessity of imposing on the nation, and the many hardships and privations to

which the people had been exposed, they had still the consolation to reflect, that the object and effect of the exertions which they had made, and the course of policy upon which they had acted, had been to protect the country against a far greater calamity than any that, in the progress, or at the close of the war, had visited the nation. They had the consolation to think, that they had, with whatever difficulty, carried the country, and successfully carried it, through a career of contest such as it had never before been engaged in, unexampled in its vicissitudes and dangers, and upon which its vital safety and existence as a nation depended. After having discharged these arduous duties, he trusted that they would now, with equal resolution, perseverance, and success, apply themselves to those measures which in time of peace were necessary to secure the stability and prosperity of the country, to recruit its resources, and prepare it for any future contest in which it might be called upon to engage. It was a material feature in their present situation that they came now, he might say for the first time, to the consideration of what might be a proper scale of expenditure, and what might be the proper financial arrangements, with reference to a state of peace: for the last year, as to expenditure at least, had too much of the character of war to enable them to come with effect to the due consideration of so large, important, and interesting a subject. Now, however, the time was come when the House ought to consider what would be a proper permanent system for a peace establishment; and he trusted that gentlemen would bring to the subject now about to occupy their attention, that combination of firmness and moderation which they so eminently exhibited in the course of that arduous contest in which Great Britain had been so long involved. He was sure the House would go along with him when he laid down this as an incontrovertible maxim, that no country, especially a country with such an accumulation of debt as now pressed upon this country, could ever consider its prosperity in time of peace established on a firm and secure foundation, unless its expenditure was reduced, not only to the level, but below the level of its revenue. This was the only system by which the great object in view could be attained; for in no other way could the permanent peace establishment of any country be considered as fixed upon a sound and wise

footing. Unless this system were adopted and acted upon with perseverance, the country could never be brought to the condition which would enable it, when called on, to cope with new difficulties: upon that principle, therefore, their measures of reduction must be calculated. The circumstances under which they came to the consideration of this important subject ought not to discourage them. It was impossible that in the course of one year the consequences of the great change which had taken place could have passed over; and it ought to be remembered, that the same difficulties were experienced at the close of the American war in 1783. But he trusted, that though the last year had not been marked with such symptoms of returning prosperity as were desirable, and though the executive government had not been able to reduce the expenditure during the last year to the extent required by that policy which it was now necessary to adopt, and the country consequently had not yet begun to reap the benefits of that policy; yet he was not without hope, that the time when the principle of reduction would begin effectually to operate would arrive at an earlier period after the close of the war, than it had done after the termination of the war in 1783. In the ordinary course in which the business of the state had been submitted to parliament, it was usual to lay before the House the estimates for the navy in the first instance, and subsequently those of the army, and the other branches of the public service; but in the present instance, before the House came to the general investigation of the subject, he thought it would be convenient to give such a general description of the reductions intended to be made, and the scale of expenditure proposed to be adopted, with regard to the different services, as would give the House some idea of the system intended to be acted upon in this respect, with reference to the several branches of the public establishment to which he was about to call their attention. Some gentlemen had expressed an opinion that it would have been more consistent with the duties of the ministers, and of parliament, if this system had been commenced in the course of last year; or if parliament had been called together at an earlier period, for the purpose of carrying it into effect; but he trusted, even these gentlemen would, on reflection, be convinced that they had been mistaken. It

was not in the first year after a war that much reduction in the war establishments and in the war expenditure could in sound policy be effected; and it would always be the best course of proceeding for parliament to impose upon the ministers the duty of submitting to its consideration such an establishment as they thought requisite, with reference to times and circumstances, instead of taking the task into its own hands, and endeavouring to run a race with the servants of the crown, for a purpose which the servants of the crown might be supposed, in the first instance at least, much better able to accomplish. He trusted that the cause of economy had not lost any thing by the delay which had taken place, and the course which had been pursued by the servants of the crown. He trusted that gentlemen would, on reflection, be satisfied that the time which had elapsed, during which the proper inquiries had been going on, and the proper preliminaries had been in progress towards settlement, had not been lost to the great object which they all had in view: and he did firmly believe, that though they had begun with measures of reduction at the very earliest period that could have entered into the contemplation of any man, these reductions could not possibly have been brought practically to operate sooner than they would now do. He was sure the House would be convinced of this, would they only consider, that no less than 300,000 men, soldiers, and sailors, had been discharged since the termination of the war, and left to provide an honest livelihood for themselves, without disgracing the glories which they had acquired in their long career in the public cause. The reduction was in fact as great as it could have been, whatever measures had been adopted with that view in the course of the last session. It was not his intention now to go minutely through the several heads of expenditure in the several branches of our establishments for the present year. The House would have the whole matter more particularly under its view when the several estimates should be given in and examined: but he was desirous to state, that, in order to prevent the House from being fettered by the votes which it might be necessary to call for while the subject of the finances was under consideration of the committee, for the appointment of which he intended to move, they would not be

required to vote sums for more than some months, so that the public service might be carried on in the mean time. The House, therefore, by the votes which must in the first instance be called for, would not be at all committed as to the final scale of expenditure which it might be thought expedient to adopt, when the committee should have terminated its labours, and when parliament might avail itself of the information which the investigations of that committee might supply. Since this was to be the course of proceeding, it would be unnecessary for him at this time to enter upon a minute statement of revenue and expenditure, as that subject would on a future occasion come more properly into discussion. His only object was, to give such a general description of the estimates for the present year, compared with those for the last year, as would bring the difference in a general way under the view of the House. He could assure the House that government had endeavoured to frame these measures with a strict reference to the situation of the country and the exigencies of the state; and in such a manner as appeared to them to form a wise combination of economy and safety. If it had been the intention of the servants of the crown to lay before the House any new system of finance, his right hon. friend (the chancellor of the exchequer) must have brought it forward, as he felt himself but little competent to the task. But a general statement would be proper, before parliament entered upon the investigation of that most important subject—the state of the finances of the country. It was the duty of parliament now to enter upon that investigation, and he assured the hon. gentlemen opposite, that the servants of the crown were so far from wishing to avoid, that they courted investigation. They were ready to receive, and turn to the best advantage, all the lights upon this interesting subject that could be supplied by the gentlemen on the other side of the House; for they reckoned it their highest pride and glory to do every thing in their power to find out the best system for the administration of the finances of the country. Much of the greatness and security of this nation depended on our navy and army: but glorious as had been the exertions of these branches of the public service, and never before had the naval and military reputation of the country stood so high, no army, no navy, had

stood this country in greater stead, or had more contributed to its security, than its public credit. To support that credit, it was necessary that the expenditure should be placed upon a proper footing; and that, if he might use the expression, the nation should now begin to live within its income. They might differ perhaps about means, but it must be the object of all to preserve the credit of the country unimpaired; and never had it happened, and never, he trusted, would it happen, that England, even when struggling under the pressure of distress, had attempted or would attempt to gain relief and ease by a failure in the performance of its honourable engagements. This happy and hallowed country, England (for great and happy she unquestionably was, notwithstanding her present temporary difficulties) disdained to purchase a moment of ease and strength by violating the good faith to which she stood honourably and conscientiously pledged. Having premised these general observations, he should now proceed, in as summary a way as was consistent with the object in view, to state the reductions in the several branches of the public service, and the estimates for the year, as compared with those for the last year. First, then, he requested the attention of the House to the subject of the army expenditure; and, in comparing the expense for the present year with that for the last year, the best mode, perhaps, would be to consider the troops in France and India as out of the question for the present, as these did not bear upon the estimates of the public expenditure of this country. With respect to the land forces, then, the numbers for the last year for this country and Ireland, and the colonies, was 99,000 men—53,000 for the home service, and 46,000 for the foreign establishment. The number at home was to be reduced by 5,000 men, the reduction of the troops abroad was to be 13,000; making a total reduction of 18,000 men. He did not at present think it necessary to state the particular circumstances which had regulated these reductions; but had no hesitation in stating, that they were made under a strong sense of the pressure of the moment, and this he declared lest the reasons for the measure might be misapprehended. On that account ministers had felt it necessary in a great measure to put out of view the military defence of the colonies against any external attack, and to consider merely what was necessary for

internal security. He thought that the present circumstances of the country justified such a policy, because there might be a price beyond which it would be improper to go for putting these colonies in a complete state of defence. But as to the home defence, there was no price that could be too great for that object; and the only question was, what was the proper and necessary force for the external and internal protection of the state, and the rights and liberties of the people? and events had pressed upon them of late which sufficiently proved, that the magistrates were unable to enforce the laws by means of the civil power alone, without the aid of a military force; and that the forces for home defence ought not therefore to be reduced to too low a standard. The number then for the service of Great Britain, Ireland, and the colonies, would now be 81,016 men, as compared with 99,000, the number for the last year, there being a reduction of 5,000 men in the home establishment, and 13,000 in the colonial, a reduction upon the whole of 18,000 men. The total number for which a vote had been taken last year was 150,000 men; the total number for which the vote of this year would be proposed was only 123,000 men. The reason for this was, by the convention with France, the number of our troops there was to be reduced from 30,000 to 25,000 men, and the number of the government troops in India from 20,000 to 17,000 men. So that the vote for the British, Irish, and colonial establishments, would be for this year 81,016 men, as compared with 99,000 men voted last year; and the total number voted for this year would be 123,000, instead of 150,000 voted last year. In the estimates, there would appear a sum of 220,000*l.* to be provided for, on account of regiments which had not returned from abroad, but which were on their way home, and in a course of reduction. He should now merely state, that in the estimates the whole of the army vote would be 6,538,000*l.* for the land forces; but the other contingent branches would bring it up to 6,830,000*l.* which, with the addition of the expenses occasioned by the militia, would make the whole total 7,050,000*l.* The commissariat in Great Britain would be 500,000*l.* This expenditure would be admitted as one which must necessarily be incurred by the country, as it was disbursed in the purchase of bread, meat, and fodder, under

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particular circumstances, and it was naturally much increased by the enhanced price of provisions. With respect to the barrack establishment, it had been so far reduced as from 178,000*l.* which it lately cost, to no more than from 70,000*l.* to 80,000*l.* The total demand for the commissariat and barrack departments might be taken at 880,000*l.*, for Great Britain and Ireland, 580,000*l.* for the former, and 300,000*l.* for the latter.

The army extraordinaries for this year would be 1,300,000*l.* The total charge for the army, with the exception of the ordnance, for the present year would be 9,230,000*l.* The total charge for the last year was 10,564,000*l.* There would therefore be a saving in the army estimates of 1,334,000*l.* The charge for ordnance last year was 1,696,000*l.*, that in the estimates to be proposed for the present year was 1,246,000*l.* making a saving of 450,000*l.* This saving was chiefly effected by a reduction of 3,000 men in the artillery, and the consolidation of the sappers and miners. Added to the reduction of 1,334,000*l.* which he had stated would take place in the charge for the army, it would make the sum that would be saved on the army and ordnance 1,784,000*l.* He wished now to call the attention of the House to this particular feature of the proposed army expenditure, that of the 6,538,000*l.*, which he had just stated it was proposed to vote for the army services, a sum of about 2,551,000*l.* was unconnected with the services of the present year, and would go to the discharge of the sums pledged by parliament in half-pay, pensions, &c. to the disbanded troops; so that in point of fact the proposed estimate for the military service of the present year would be under 4,000,000*l.* It was also evident that the saving by the reduction of force would be much greater if it were not counteracted in a certain degree by the addition which that reduction made to the half-pay list, and to the list of pensioners, which amounted, though certainly not to an equivalent, yet to a diminution of the sum that would otherwise be saved by a third, and in some cases by a half. He would proceed to the consideration of the reductions which had been made in the navy estimates. Last session the House had voted 33,000 for the service of the navy, of which as 10,000 were in the progress of reduction, it was understood that only 23,000 were to be looked to as

the permanent establishment for the year. Since that his majesty's government had fully considered the various circumstances, comprehending both our foreign relations, and our internal distresses, which would render a further reduction practicable; and the result was, that it appeared to them advisable to propose to the House a vote of 18,000 seamen, instead of 23,000, for the service of the present year; 19,000 men, however, would in fact be proposed to be voted for the service of the navy, as it was intended not to diminish the royal marines—a force so connected with the rapid re-equipment of a naval force, that those who had the conduct of our naval affairs were decidedly of opinion, that it ought not to be crippled or broken down, but maintained at its present establishment of 6,000 men. Of course a large reduction would take place in the ships of war, and in the wear and tear, and other various expenses connected with them. Last year the charge for the navy was 10,114,000*l.* The charge that would be proposed for the present year was 6,397,000*l.*; making a reduction in this particular of 3,717,000*l.* He had also the satisfaction to state, that there was in the proposed charge of 6,397,000*l.* for the present year, a considerable item—no less a sum than 500,000*l.*, which would not appear in the estimates of future years; as it was for the payment of a transport debt, in the progress of liquidation. He next came to the consideration of the miscellaneous services. The charge for Great Britain and Ireland for the last year was 2,500,000*l.* The charge to be proposed for the present year was 1,500,000*l.*; being a diminution of 1,000,000*l.* The saving, therefore, on the four branches of the public service which he had enumerated, would stand thus:—

Army	£1,334,000
Ordnance	450,000
Navy	3,717,000
Miscellaneous	1,000,000

Total Reduction

The aggregate of the charges to be proposed for the present year, comprehending all the various branches of the public service, would stand thus:

Army	£7,050,000
Commissariat and Barracks	880,000
Extraordinaries	1,300,000
Ordnance	1,246,000
Navy	6,397,000

Miscellaneous 1,500,000

Gross total of charge £.18,373,000

The estimates, therefore, which in the conscientious discharge of their public duty, his majesty's government would propose to the House for the service of the present year, would amount to this sum of 18,373,000%. This sum, under every view of the public exigencies, it appeared to them absolutely necessary to provide. But it would be unfair to themselves not to request that the House would distinguish between those items, which might be more durable from those which, although voted for the present year, would in all probability not recur. He would not be guilty of the presumption of speculating on any precise amount, at which the estimates for the next year might probably be fixed. Any pledges of that description were worse than useless, for in public as well as in private life, it was impossible for any individual to say that no incidental and unforeseen expense might arise which would utterly disconcert any anticipated arrangement. But although it was certainly possible that circumstances might occur, of a nature not to be predicted, to increase our expenses in some respects, yet on the other hand it was to be hoped that other circumstances might occur of which we might take advantage, to decrease our expenses in other respects. He repeated, however, his wish that the House would look at this sum of 18,373,000%. with a reference to the character of the items, as probably permanent or otherwise. In the item for the army for instance, 220,000%. was for the purpose of defraying the expense of regiments, all of which were actually in a progress of reduction. The extraordinaries, as well as could be anticipated, would be reduced in amount by 300,000%. In the estimate of the ordnance, diminished as the charge had been as far as it was possible to diminish it, there was still 50,000%. to be voted for a branch of the service, which was also in a progress of reduction. With respect to the navy, he had also stated, that 500,000%. of the sum which it would be proposed to vote was for the liquidation of a transport debt. The various items therefore of expense in the proposed estimates which would not recur, stood as follows:

Army 220,000
Extraordinaries 300,000
Ordnance 50,000

Navy 500,000

£.1,070,000

So that in point of fact it was not 18,373,000%. that was about to be proposed as the total charge for the public service for the present year, but only 17,303,000%. There was another view of the subject also which he was desirous that the House should take. He was desirous that they should distinguish between those charges which were for services that had been performed, and those charges which were for services that were to be performed. He had already stated that the army estimates to be proposed contained a sum of 2,551,000%. for services that had actually been performed. If charges of the same description were separated from the navy estimates, they would be found to amount to 1,271,000%. Those in the ordnance were 223,000%. Taking, therefore, these three services together, as thus,

Army 2,551,000

Navy 1,271,000

Ordnance 223,000

£.4,045,000

it appeared that no less a sum than 4,045,000%. would be voted for charges wholly unconnected with the service of the present year, and which charges must be defrayed were every ship to be instantly paid off, and every soldier instantly disbanded. When, therefore, the House was occupied in contemplating the great existing charge of the army and navy, compared with that of former times, particularly during the last peace, he entreated that they would always separate from the proposed charge those sums which (many of them growing up with the peculiar circumstances of the late war) and dictated by every principle of justice and gratitude towards the great merits of those who had brought it to so glorious a termination), were wholly unconnected with the service of the present year. Deducting therefore the sum of 1,070,000 for expenses which would not recur, and the sum of 4,045,000%. for services already performed, and consequently utterly unconnected with the services of the present year, it was evident that the whole charge proposed for the army, ordnance, and navy, for the present year would not exceed 13,258,000%. He trusted, therefore, that instead of 18,373,000%. the House would allow him

to request that they would fix their attention on 13,258,000*l.*, as the true sum which was to be the subject of comparison with the expense of any former period. It would be occupying too much of the time of the House to enter into any minute examination of the comparison, that it might *prima facie* be thought desirable by some to institute between the charges of the present period and those of the year 1792. The House would, however, recollect, that it was not until a gradual reduction of 6 years, that in 1792 Mr. Pitt, when all apprehensions of external danger had vanished, did bring the estimates down to 5,200,000*l.* Let it be also remembered, that Mr. Pitt had at that time to provide for the service of only one branch of the United Kingdom; and that the service of Ireland was included in the estimates now to be proposed. The state of Ireland, at that period, was very different from that in which it unfortunately was at present. In 1792, the separate charges for Ireland were a million, making a total charge for Great Britain and Ireland of 6,200,000*l.* The present proposed charge for Great Britain and Ireland was 13,258,000*l.* being certainly double the amount of the charge in 1792. There were many circumstances, however, which combined to occasion this difference. One, most important, was the great increase of our colonies, and the consequent great increase of the expenses attendant on them. Another important circumstance was, the extraordinary situation in which Europe had been for so many years placed, the great social change which had arisen out of the French revolution, and the necessity under which the government of every country naturally felt itself to exercise a more than ordinary degree of vigilance. Independently of these two considerations, the House would allow him to say that the measures adopted by that House, would have occasioned a considerable increase of expense even had the service to be performed remained the same. If the increase of the pay of the army were alone considered, it would be enough to show that between the expense of the present period, and that of 1792, no fair comparison could be made. The pay of the soldier had been nearly doubled since that time. But it was not pay only. Many allowances had been granted to the troops both at home and abroad, which increased the unfairness of any such comparison. He would merely state the

difference of the expense of a single regiment, to put this out of all doubt. In 1792 the expense of a regiment of cavalry for the year was twenty-eight thousand pounds. Now it was 38,000*l.* It would, therefore, be most unjust if any comparison between the estimates of the two periods should raise a prejudice against the general principle on which the reductions proposed by his majesty's government proceeded. In looking also at the probable charge for the next year, it must be recollected that a great part of the 4,000,000*l.* which he had already stated to be connected with those retired from active service, must be progressively falling in. He was sure the country would bear with the greatest patience, and indeed gratitude, the expense which went to the support of those who had so eminently distinguished themselves in their country's cause; but still it was a fact that the expense must progressively diminish. It would diminish, not merely by the death of the individuals respecting whom it was incurred, but by the appointments which his majesty's government would think it their duty to make from those individuals, so retired, to fill up active situations that might become vacant. He had inquired what it was probable would be the reduction of this sum in a course of years. There were about 100,000 persons, 56,000 of whom were in the army who were now in the receipt of pensions and half-pay. Supposing that on the average each person was about forty years of age, he understood it was probable, that in about twenty years half those individuals would have ceased to exist. This would be about 2,500*l.* in the year. It might, therefore, be fairly expected that about 100,000*l.* of this expense would fall in annually. But, however large the proposed estimates might appear, he trusted it would appear to the House that government had exerted themselves as far as they could, without incurring risks which they were not warranted to run, so to frame them that the expenses of the country might be brought at as early a period as possible within its income. The House was aware that in any view which had been taken of our financial state, the possibility in the present year, of entirely defraying the expenses out of the revenue, had never been contemplated. But if such a hope had ever been entertained, the remission, last year, of 18,000,000*l.* in direct taxes, must altogether have destroyed the ex-

pectation. Really, it was any thing but a discouraging view of the situation of the country to observe, that at the close of the most arduous struggle in which this or any other nation had ever been engaged, the public affairs had been so conducted as to enable us to make the most stupendous exertions during war, and in the first year after the restoration of peace to remit so large a sum in direct taxation as eighteen millions; as well as subsequently to make such an arrangement of our expenditure as to leave the balance between that and our means of a consoling description.—His right hon. friend would state to the House the details of the financial part of this question. But he trusted, that in his general statement he had not been inaccurate, and that he was justified in assuming, as a justification of the scale of expenditure recommended, that were it not for the peculiar circumstances of the times by which an unexpected diminution had occurred in the surplus of the consolidated fund, the revenue would have exceeded the expenditure by 3 or 4,000,000*l*. Against this sum there would certainly have been to set the provision necessary to be made for the unfunded debt. This provision in the shape of interest, would amount to 2,300,000*l*. Deducting that sum, the balance in favour of the country would have been a million or a million and a half, had not the peculiar and distressing circumstances of the times occasioned this great defalcation in the revenue. Had that stood as it had hitherto done, there would have been a positive and considerable amelioration of our financial state. Even had we only the income and expenditure of Great Britain to attend to, there would be a better prospect of a favourable balance; but a very material cause of the existing difficulty was the incorporation which had taken place of the revenues of Great Britain and Ireland, and the consequent pledge to Ireland to make good her financial deficiencies, a pledge both just and politic. He trusted it would appear that the proposed charges had been calculated on the principle of an economy not pushed beyond that which our safety and the well being of the state required. But while he stated this, and while he contended that a gloomy view of the future was by no means to be entertained, but that on the contrary there was no reason to doubt that prosperity would speedily return, he would be the last man

in the House to disguise the fact that the present was a year of the severest pressure on all classes of the community, and that there was no individual in society, from the highest to the lowest ranks, who did not sensibly feel the hardships which it had pleased Providence to inflict. It was little consonant to the generous feelings of the British nation to derive consolation from the circumstance; but it was nevertheless a fact, that they were not alone in their present calamities. If our calamities could be soothed by a fellowship in distress, we need only look to the continent to find sources of consolation. The unfortunate deficiencies of the last season, and the great pressure which the late war had occasioned, were operating more or less severely on every state in Europe. He felt that he should be justified in declaring, that the existing distresses in this country were more supportable than they were in any extended portion of the continent. But, whatever it might be comparatively, our situation was without doubt one of positive and considerable hardship. There was great suffering in the country: he was happy to add that there had been exhibited great ardour to relieve that suffering. That desire to lighten the burthens of the destitute by sharing them, that generous sympathy which bound all classes of society together in this happy land, and diffused a general spirit of beneficence and charity, had wrought not only within the limits of law, but had exerted itself in public and in private with spontaneous efforts beyond any thing ever witnessed on any former occasion. Strong as that feeling had shown itself every where, he could assure the House that it existed no where more strongly than in the highest quarter in the nation. The illustrious individual who exercised the royal functions in this country, having had the glory of eminently contributing to the deliverance of Europe, was now anxious to enjoy that of contributing to the relief of the people, and had authorized him to state, that he was desirous to abstain from receiving such a portion of that part of the civil list appropriated to the expenses of the royal household as in the judgment of his constitutional servants he might forego without incurring the reproach of parliament by running the civil list in debt, and applying for subsequent assistance for its discharge. Not only was his royal highness anxious to contribute out of the sum

which he derived from the civil list for the support of his royal household, but also out of the sums accruing from the two other sources of a more personal nature whence his revenue proceeded. The sum which his Royal Highness was desirous to give up was 50,000*l.*, being about a fifth of his whole receipts; which were as follows: 209,000*l.* from that fourth part of the civil list (which it ought always to be remembered was the only branch of the civil list connected with the personal expenses, or the royal state of the sovereign; for all the other heads of charge included in the civil list were as much for paying public services as the sums included in the estimates which he had that night mentioned), 60,000*l.* from the privy purse; and 10,000*l.* from the duchy of Cornwall. His Royal Highness, desirous to share the privations and sufferings of his majesty's subjects, as he had partaken in their glory, anxiously wished that the sum thus offered to the public service was more correspondent with his feelings; but it was the duty of his Royal Highness's constitutional advisers to take care that no danger should be incurred of running the civil list in debt, or rendering necessary a subsequent application to parliament on the subject. Even the present sacrifice, suspending as it must do the services of many useful individuals, could not be continued without involving the civil list in considerable difficulties. But, for the gratification of his own feelings, his Royal Highness could not deny himself the satisfaction of making it; ardently hoping that the distressing circumstances of the country which rendered it advisable might never recur. Large as the sum was, it was not so splendid in amount as it was splendid in principle, exhibiting, as it did, a warm sympathy for the sufferings of the people. It would be received by the country as a proof of the warm sympathy which his Royal Highness felt in every calamity that affected the people. He (lord Castlereagh) had also to state, that the public servants of the crown were also anxious to come forward and offer their assistance under the present circumstances. They were willing to contribute that which the property-tax, had it been continued, would have taken from them. Last year that would have been levied, including all the salaries and allowances of the various officers of the state, on about 900,000*l.* This year, in consequence of the reductions which had

taken place, the sum would not be so large; but at the same time it would not be contemptible. To this proceeding, however, the sanction of parliament would be necessary. He had now only one point to submit to the consideration of the House, namely, the course which it would be the best to pursue, for the purpose of instituting an earnest parliamentary inquiry into the public income and expenditure. He had been asked the other evening, what course it was his intention to recommend? and his answer then was, that he meant to propose the established course, namely, the appointment of a select committee by ballot. This declaration seemed to excite great alarm on the other side of the House. An hon. and learned gentleman, in particular, had made a speech not distinguished for its novelty; for an hon. member of that House, now no more, had for many years expressed precisely similar sentiments, whenever the question of ballot was agitated in parliament. He allowed that the mode of appointing a committee by ballot was open to all the insinuations which it appeared to be the hon. and learned gentleman's intention to convey against it. Still, however he did not think that the House would join the hon. and learned gentleman, in reprobating a practice established by the usage of ages. He was yet to learn, that members who appointed a committee by ballot were more under the observation of those who, by the hon. and learned gentleman, were supposed to influence their private judgment than when they were called upon to act in a more ostensible manner. He had high authority for maintaining the superiority of ballot to any other mode of election; for it had been contended by many, that even the principal of universal suffrage would not be productive of a fair representation of the people without it! But without any arguments on the subject, he could assure the hon. and learned gentleman that, referring simply to the advantages which had been derived from committees appointed in that manner, they came with strong recommendations to the favour of the country. In particular, the committee of 1797, to whose labours the nation was indebted for information so voluminous and so valuable, was appointed by ballot. He was not aware on the other evening, that subsequently to the year 1797 the House appointed a similar

committee, not by ballot, but by nomination. But really, if the result were to be taken as the criterion of the respective merits of committees so variously appointed, there would be no difficulty in preferring the former to the latter precedent. Having for his object to appoint a committee which would possess the confidence of the House and the country, he should hesitate to adopt the principle on which the committee of 1807 was appointed, not being able to perceive any good consequence resulting from it; any abstinence from ministerial interference, or any deference to individual character in its composition.—What were the circumstances of the case in 1807? An hon. gentleman, no longer a member of that House, and whom he might therefore name, Mr. Biddulph, moved for the appointment of a committee to inquire into all offices which might be abolished without detriment to the public service. From the principles of independence and absence of undue influence so strongly recommended by the hon. gentleman opposite, it was natural to suppose that the government of that period would be anxious to further the hon. gentleman's object, and to allow him to select those individuals who appeared to him the best calculated to carry it into effect. No such thing. They did not allow Mr. Biddulph to nominate the committee. They seemed to think it a great favour to allow a single individual to sit in that committee on Mr. Biddulph's nomination. That individual, Mr. Biddulph himself, sat there in solitude, accompanied by twenty-two other gentlemen appointed by the administration. Mr. Biddulph was absolutely precluded from proceeding with his nomination, the chancellor of the exchequer of that day relieving him from all puzzle on the subject, by naming the whole committee; of the members of which, nineteen were in the constant habit of voting with the administration then in power. However, notwithstanding this bad example, and notwithstanding his disbelief in the corruption attributed to their ancestors, in consequence of their preference of an appointment by ballot to an appointment by nomination; yet deprecating, as he earnestly did, any circumstance calculated at the very outset of the proceeding to diminish the candour, the temper, and the liberality with which he trusted the subject would be treated on both sides—not conceiving it a question of parlia-

mentary contest, but one of general and vital interest—he was anxious, if he could, to obviate all possible misconception; and had therefore no hesitation in saying, that although it was his original intention to propose the election of the committee by ballot, that intention he would willingly abandon, and follow the precedent of 1807; which precedent had indeed so far been confirmed, as to have been adopted in the appointment of several committees on the civil list. An hon. gentleman had said, that such a committee as that which he was about to move for should be composed of members quite impartial in their views. But this qualification, which was deemed indispensable, was, he was sorry to say, far from being a common one, and as the committee was to consist of 21, he should be quite at a loss to fill it up, if he were to be restricted to that consideration. There were some gentlemen, indeed, in the House, who, with great honour to themselves, and no doubt with great advantage to their country, reserved their minds for an impartial consideration of every topic;—but they were not very numerous, nor were they treated with peculiar respect by the other side of the House. Indeed, if any one thing was viewed by the gentlemen on the other side of the House with more peculiarly hostile feelings than another, it was an attempt to set up an independence of opinion—and if ever they felt the inconvenience of that independence to their own views, they resented it with peculiar acrimony. Rejecting, therefore, the visionary prospect of choosing the committee out of that rare and pure class of mortals, he should fairly nominate to it members of both parties. Although he did not share all the indisposition which had been manifested towards the class of impartial persons—he went to a certain degree with those who objected to them; for he was perfectly ready to allow that public business could not be better managed, or so well managed, if it were not for the system of parties; and on his conscience he believed that whatever of human happiness was to be found in this country in a greater degree than in the other countries of Europe, was to be attributed to that conflict of parties, chastened by the principles of the constitution, and subdued by the spirit of decorum. To this honourable and liberal, but animated and determined contest of parties, was, he would repeat, to be attributed the envied

superiority of this country in public happiness, and wisdom, and liberty. In the appointment of the committee, he agreed with the gentlemen on the other side of the House, that there should be kept in view the necessity of sifting the financial concerns of the country to the bottom. He had no hesitation in admitting that until the public mind (not that disordered spirit which assumed to itself the exclusive province of reform; but the sober part of the community, which constituted its strength) was satisfied respecting what should or could be done as to the income and expenditure, the people would not be in that temper best calculated to overcome the difficulties of their situation.— Bearing this object in mind, there never was an inquiry, from assisting in which it was more necessary not to exclude official persons, although official men, or expectants of office ought not to predominate in its formation. A judge on the bench would not be placed in a situation of greater difficulty if called on to decide without hearing the arguments of counsel, than the gentlemen unconnected with office would feel if called on to decide without the advantage of the arguments and explanation of those who now held office; and those gentlemen opposite, who, he trusted, would fill official situations hereafter, if the confidence of the crown should be withdrawn from the present ministers; for he trusted the country would never be delivered over to the guidance of the wild reformers. The committee would thus be composed of the best talents on both sides of the House for matters of detail, with the addition of some gentlemen who might be considered as judges between them. The House, however, he was persuaded, would not suffer the committee to decide on any question for it. It would be degrading to the House to delegate its duties to any set of men, however enlightened. They would probe the subject to the bottom, and by presenting to the House the result of their inquiries, would afford grounds for a sound exercise of the duties entrusted to them by the constitution, without entering into that consideration of the measures which it might be expedient to adopt for which they were not constituted. It would be a great advantage to the country if members would go into the inquiry with candour, with the wish of emulating each other in exertions for the public good, but without any desire of

triumphing over each other in a cause in which the efforts of all were required. He should, in the first place, refer to the committee all the estimates and reductions in the present year, in which, he trusted, it would be found that ministers had not neglected their duty. Some offices were suppressed, and others reduced. It was, however, to be recollected, that all the official reductions which were contemplated could not immediately take place, on account of the quantity of unaudited accounts which had accumulated. It would not be consistent with any sound views of economy suddenly to withdraw the means of auditing these accounts. The first object, therefore, was to refer to the committee the state of the income and expenditure of the last year, of which the accounts were complete; the next, to submit to their consideration the year which they were in the progress of providing for; and the last, that of the next year, as far as it could be at present calculated. The objects of the committee would, perhaps, not be completed in the present session, as it was of the greatest consequence to lay down the principles of a peace establishment for succeeding years. He should, however, confine the attention of the committee, in the first place, to the three years which he had mentioned, and it would be open to the House to extend its powers at any time. He should therefore move, “That a select committee be appointed to inquire into and state the income and expenditure of the united kingdom for the year ended the 5th of January 1817; and also to consider and state the probable income and expenditure (so far as the same can now be estimated) for the years ending the 5th of January 1818 and the 5th of January 1819, respectively; and to report the same, together with their observations thereupon, to the House; and also to consider what further measures may be adopted for the relief of the country from any part of the said expenditure, without detriment to the public interest.” He would, while on his legs, read the names, which he should propose for nomination. They were, the Chancellor of the Exchequer, Mr. G. Ponsonby, Mr. Banks, Mr. Long, Mr. Tierney, lord Binning, sir John Newport, Mr. Peel, Mr. Wynn, Mr. Arbuthnot, Mr. Frankland Lewis, Mr. Huskisson, Mr. Nicholson Calvert, Mr. Davies Gilbert, Mr. Cartwright, Mr. Holford, Mr. E. Littleton, lord Clive, Mr.

Gooch, Sir T. Acland, and lord Castle-reagh.

Mr. Tierney said, it was impossible to follow the noble lord into the estimates which he had submitted to the House. Whenever he had an opportunity of forming a judgment on them, whether favourable or unfavourable, the noble lord might be assured he should state it with candour and temperance; for, after the speech of the noble lord, he should be inexcusable if he did not follow his good example. From what he could collect of the noble lord's statement, it confirmed the view of the subject, which he (Mr. T.) had the other night submitted to the House. The army, navy, ordnance, and miscellaneous services, according to the noble lord's estimate, amounted to 18,350,000*l*. He (Mr. T.) had assumed on a former occasion, that this expense would be 19 millions. There was not much difference between their statements, and if another item were added, the difference would be found to be less. The interest of the unfunded debt had been taken by him at 1,500,000*l*; it was stated by the noble lord at 2,300,000*l*; so that taking both items together, the statement which he had formerly made was very far from being inaccurate. Whatever opinion he entertained as to the estimates of the noble lord, he should not be warranted in stating it from the superficial acquaintance with it which he yet had; but there was one of the noble lord's general assertions which he had not been able to reconcile with his details. The noble lord had said, that since the reduction had been made, the income and expenditure would be brought nearly to a level. The noble lord, to be sure, had left out of his statement the ways and means, perhaps to avoid anticipating the chancellor of the exchequer, and lest the House might not be pleased with one speech instead of two. The amount of the ways and means, however, was a material feature (he begged the noble lord's pardon for using his own word) in the statement of the question. As to the sinking fund, it was not to be taken into account, as it was precisely the same thing if a sum equal to the sinking fund was borrowed—as if that fund were taken away. The noble lord had challenged the House to probe every thing to the bottom. This was a species of operation he himself had frequently been conjuring the House to resort to. His exhortations had been in vain. He was however glad that ministers at last saw what every body else had long

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seen—that the expenses of the country should be reduced to some reasonable proportion with its means. It was, however, impossible to probe the matter to the bottom, without considering the ways and means as well as the expenditure. Taking the produce of the consolidated fund at the rate of the year ending January 1817, with the war taxes, annual taxes, and the lottery, the whole ways and means amounted to 45,400,000*l*. Beyond that there might be some odds and ends, but this was the sum which only could be looked to. On the other hand, 48 millions were to be raised, assuming the establishment at 19 millions, and the interest of the unfunded debt at 1½ millions, or taking the increase on one article and the decrease on the other, according to the statement of the noble lord, the same result would appear. It was thus plain, that even if the whole of the sinking fund were applied to the public service, there would still be three millions to be raised in some way or other. With these figures which had not yet been contradicted, he could produce no other result. He should be glad if any one could show him his error. It was true, the noble lord might add to one side of the account. He (Mr. T.) had only taken the ordinary ways and means—the noble lord might refer to the extraordinary ways and means. The statement which he (Mr. T.) had made was grounded upon the produce of the taxes in the year ending Jan. 1817. It might be stated in an estimate, that they would produce more in the year ending Jan. 1818, and the difficulty would thus in appearance be obviated. But he had before shown that from a variety of circumstances which it was then unnecessary to trouble the House with again, there was more reason to expect a diminution than an increase in the produce of the taxes. In the next year, therefore, unless a reduction of three millions was made upon the reduced estimates of ministers, the debt would go on increasing, and even if that reduction were made, there would not be a single farthing to spare. He was glad to hear that no encroachment was to be made upon the sinking fund, but that it was for the present, at least, to be held sacred. Throughout the period of his hostility to Mr. Pitt, he had always given him credit for that institution, and notwithstanding all that had been said and written upon it, no one could now be more disposed to hold inviolate this pledge to public credit. No

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consideration but absolute necessity, *salus publica*, should induce him to consent to trench upon it.

He next should come to the great topic of congratulation, the reduction of the expenses of the Crown. This was extremely satisfactory to him; he must have been a most extraordinary being if it had not been satisfactory to him, for there had not been a man in the House or the country who had been more incessantly urgent that the Crown should be advised to lead the way in retrenchment and economy. It was fitting that in times like these examples of economy should begin in the highest situation. The good news had come late—but he was happy that it had come at all. He regretted, he meant, that the advice had not been sooner given to his Royal Highness. The culpability of the ministers was apparent, from the manner in which the Prince Regent had received the advice when it was given—they might see from thence the disposition of his Royal Highness, and how easily the reduction might have been made twelve months ago. If the advice had been given at that time, much of the present discontent would not have existed. The next point was the reduction of the salaries of the officers of the Crown. The House recollected he had long ago been pressing this measure. It was extraordinary, that ministers could never be prevailed on to make these reductions but under the pressure of difficulties—that they must be extorted from them by want. These measures might a year ago have come from them with an excellent grace, but now the act would not obtain that reward which it would then have obtained. It would not now inspire that confidence—not in this or that ministry, but in the general government of the country, which it would then have been calculated to ensure. If he understood the noble lord (for his tone had been rather low as if the subject was not particularly agreeable to him), he talked of the necessity of an act of parliament to enable gentlemen to give up part of their salaries. He did not yet perceive the necessity of the act—for he remembered the time when sir James Pulteney had given up his salary as secretary at war, without the sanction of any statute. And here he would take the opportunity of saying, that he did not at that time nor did he now, approve of the circumstance of a man of large fortune accepting office and refusing any salary.

It was an invidious precedent, operating to the prejudice of official men of moderate incomes. But though he thought it unfair that a man of great wealth should make a parade of receiving no salary at all, yet he conceived the quantity of salary suited to the duties of an office to be a very different question; and he certainly could not see the necessity of passing an act of parliament to enable men to give up part of their salaries if they thought fit so to do. Surely they might be indulged in so laudable an inclination without the intervention of legislative authority. Surely this (if any thing) was a thing which men could do of themselves. He would say nothing as to the mode of this intended reduction, except merely to urge that the rate of charge for the property tax was no criterion as to what ought to be its amount.

By-the-by, the noble lord had, with an air of great complacency, assumed the credit of having given up the property tax. The noble lord deserved but little praise on that score; as far as his wishes were concerned, it would never have been given up; he had, indeed, fought hard, and inch by inch, to preserve it. It was not the noble lord bestowing a boon, but it was the declared will of the people of England that forced his majesty's government to give up a tax so hateful to the whole nation. The people had shown a determination not to submit to the tax, and the house had acted as it ever had and ever would act—it had obeyed the sense of the people, expressed by the voice of the respectable majority. Indeed, at all times, if the real majority of the nation showed itself firm and unanimous, the House would comply with its reasonable wishes. This was the best, and indeed a complete answer to those pretended reformers who talked of a pure representation. It would require more dexterity than was usually shown by the leaders of mobs to prove, that there was any necessity to alter the system of parliament, in order to get that which virtually and substantially was already in existence.

He now came to the main object of the noble lord's speech, the formation of a committee of financial inquiry. The noble lord had, it seemed, thought proper to abandon his favourite scheme of a ballot: he had admitted, that a sudden change had taken place in his opinion on this point; and yet, most inconsistently, he was very angry that any other person should find fault with what now appeared

untenable even to himself. He had, very unnecessarily, rated an hon. and learned friend of his for reviving what he was pleased to call an old joke of Mr. Sheridan's. To be sure, his hon. and learned friend knew quite as well as the noble lord that it was an old joke, but it was also a very good joke, and never could have been applied more fairly than on an occasion where the noble lord had made such a parade of an impartial method of choosing a committee. At such a time, it was reasonable to show that this pretended liberty of choice would exactly tally with the wishes of the minister, and that the list chosen would be (name by name) the list desired to be chosen by the noble lord. The noble lord affected an extreme delicacy for the feelings of the opposition side of the House: the noble lord was not quite candid in this show of regard. The fact was, that the noble lord had selected his committee, not from any wish to accommodate the views of the opposition, but from delicacy to the feelings of certain members of his own side of the House. There was, indeed, a considerable number of members in that house belonging to that class of persons who "do good by stealth, and blush to find it fame." This respectable body of representatives, though for the best of reasons doubtless they lent their aid to ministers, yet were not without their feelings: they had a sort of sense of decency, and it required sometimes a good deal of management to keep them in good humour. Their scruples made them sometimes a little restive, and unless certain forms of decorum were preserved to satisfy their consciences a little, they were apt to say to a minister—"If you don't do so and so, we shan't vote for you." It was from delicacy to the sensibility of these gentlemen, that the noble lord had found it necessary to make a show of candour in his mode of choosing the committee; though with what reluctance he acted might be judged from the long funeral oration which he had pronounced on his poor departed friend the ballot. The committee was now to be appointed which was to remove all grievances, and it was said by the noble lord that it was the same which had been proposed by his noble friend (lord G. Cavendish) last session. This was not the case. That was a committee confined in its object to the savings practicable on offices. The present committee was to include the consideration of income as well as of expenditure, and of all objects of retrenchment and reform.

He would not, however, have the noble lord suppose that he was finding fault with his committee altogether; in many respects it was what he himself had often solicited in vain; it was a measure absolutely called for by the exigencies of the times, and indispensably requisite for the public service. It was not only essential for the remedy of grievances, but without it he believed that the national business could not go on. But let not the noble lord deceive himself: he was in extreme error if he thought that he would satisfy the country by introducing all sorts of subjects into his proposed inquiry. Whatever might be the case in the house, people out of doors would not content themselves with this show of a remedy. They must have something real and practical, and would not be mocked by a committee which was to investigate every thing; and do nothing. It would not do to make this committee a repository for all the evils afloat—to convert it into what had been called a drag-net for all grievances; for then it was pretty certain it would never lift its head above water again. The consequences of such a proceeding were sufficiently evident. Such a committee, having so much to accomplish, might sit for years; and, what was worse, would be a cloak for precluding all possibility of discussing in the House the subjects of most vital interest to the nation. Instead of being a benefit, it would be a positive evil; for the House would be shut out from exercising its useful functions, while its committee would be laboriously employed to no good object, and without end. Of how trifling use such committees were must be obvious to any gentleman who considered former instances of the same kind. He recollected one committee which had been appointed in 1797, of which the Speaker was chairman. That committee was appointed on the 10th of March. Its first report, on income, was produced on the 31st of March; the second at the end of April; the last on the 4th of May. No proceeding—no result of its labours on the public expenditure transpired until the 19th of the following July, when it at last produced a report on the only subject which could be useful to the nation, namely, the nature and quantity of the reduction possible in the public expenditure. Let the House take warning from this precedent; let them watch narrowly and with jealousy the measures of his majesty's ministers,

whose drift, as it seemed to him, was merely to probe and search but not to heal the wound; to make long imposing speeches to answer their own partial purposes, instead of doing what it was their duty to do—that is, enabling the House, after free and ample discussion, to take such measures as might conduce to the permanent benefit of the country. He should desire to know what the nature and extent of the labours performed by ministers, in the way of economy, had really been during the last nine or ten months, by which the House might judge of the sincerity of their inclinations: but on this subject they were hitherto all in the dark. Let them cast their eyes back to the last session. When a committee of inquiry was then proposed, it was said, that it was not at all necessary for the House of Commons to take up the subject, for his Majesty's ministers meant to do all that could be required. It was in last May when the commission was appointed, which was to inquire into all reducible offices. Where was the report of these commissioners? Why had it not, before this, been laid before the House? It was not enough for the House to know the gross amount of the reductions, but in what departments they had taken place, and what remained to be done. There was no one unconnected with office who had the slightest idea what those reductions were. What he wanted, with respect to a proper and efficient committee, was different from what the noble lord seemed to wish. There was business and labour enough on this subject, not merely for one, but for three or four committees. The House must set their shoulders to the task of examination, and go to work in a determined manner. A separate committee might be necessary to examine the accounts and state of the affairs of the army, and the commissariat, and other branches connected with it, and to probe them to the bottom. Another committee might be requisite to inquire into the affairs and expenditure of the colonies. Another would be also desirable and requisite to inquire respecting the civil offices, and report on the practicable reductions in them; which last object he had particularly in view. He considered that there was nothing efficacious to be granted; but that it seemed intended to draw a curtain to prevent the public from a full view of the public expenditure. The numerous and important subjects which might come

before this proposed committee, if it devoted its labours to them, might prevent them from giving a sufficient report till a period of the session when it was not likely that there would be a full attendance; and then they would probably present voluminous reports which would be wholly unavailing.

Another point he wished to advert to was as to the principle of the nomination of the committee. The noble lord had indeed decried all party feelings and views on this subject: and he (Mr. T.) agreed with him therein, and hoped that all the members in the House would act in common. He could not see that the examination should be called a party object, unless it were in the vulgar way of alluding to the loss of offices: but if gentlemen opposite would not act quite fairly, they could not expect the other side of the House to put confidence in them. The noble lord said, that the committee should comprise gentlemen of all descriptions, those on all sides most conversant with public topics; but then he had treated the neutrals a little too ruffly, as if they were good for nothing. Now, if they were good for any thing, it must be for the sort of committee proposed. He was ready to agree with what he had heard of party men being useful to the country; and he had himself always been a party man, of whatever party he might have been. It was useful that there should be party men acting on honest principles, and clinging together for great objects: no great good could be done to the country without it. As to what were termed the neutrals, there had been one neutrality, which was an armed neutrality, but joined one of the belligerents at suitable time, and were all directly promoted, and placed upon the staff. The noble lord knew very well that the neutrals went out to fight with double colours in their hold. He had also contended, that a great advantage was to be derived from having gentlemen in office placed upon the committee: and as a proof of his sincerity had nominated six of those gentlemen to sit in the committee. Now he (Mr. T.) would agree, that in such a committee as that recently appointed to sit up stairs, there might be advantage in having ministerial persons in it, who could give to the committee various details which they only could know. He had no objection upon a new committee of finance that the chancellor of the exchequer and others

should sit in it; they would be able to make many statements and explanations, and therefore might be useful to the labours of the committee. They could not, with all their ingenuity, make much alteration in figures, and therefore so far he would trust them. But the matter was widely different when it turned on the question of abolishing offices; and when the holders perhaps of these offices desired to be abolished were themselves to sit and vote in the committee. Could the noble lord be really in earnest in his professed desire for the reduction or regulation of public offices, when he proposed to appoint so many public officers upon this committee, or were the public likely to believe that such an earnestness existed? What was the inference to be drawn, for instance, from the nomination of the right hon. gentleman over the way for such a committee, when one of the objects to be referred to that committee was, whether the office which that right hon. gentleman held, namely, that of joint paymaster of the forces, ought not to be abolished, compliance with the recommendation of a former committee? As to the observation of the noble lord, that it was necessary to have counsel from the public offices, in order to enlighten the committee, he has no objection to such counsel, but he rather thought, that instead of being upon, they should appear before the committee—instead of forming part of the judicial bench, they should be introduced as mere pleaders. He had as much respect for official men, as any one could reasonably desire him to entertain. He had great respect and esteem for many of them, but where a jury was to be impannelled upon a case materially affecting their interest, he could not think them exactly fit persons to form a part of that jury. He should rather indeed wish to meet those gentlemen in any other society than that of the proposed jury. The noble lord appeared to think that in the decisions of a committee no influence would be occasioned by six gentlemen in office going over to the right or left. Was this exactly probable? The noble lord had made some allusions, on the subject of influence, to the committee appointed in 1807, on the motion of lord Henry Petty, when he was chancellor of the exchequer, which required a few observations. The fact on that occasion was, that lord Henry Petty had proposed one more member than was the usual practice in regard to such committees.

There was only one minister in that committee, and that was the then chancellor of the exchequer, whose name in the customary manner, as the mover, was first put to the vote. There were 22 members on that committee, instead of the usual practice of 21. Mr. Biddulph, he believed, moved for an additional member to the committee (a gentleman who then represented Lincoln) and the answer to that motion was, that there was already one more member on it than usual, and therefore that the proposition was not necessary. It was not correct that the nomination of that committee had been taken wholly out of the hands of Mr. Biddulph. It, therefore, could form no precedent for that at present under consideration, and into which it was proposed to introduce so many officers of the Crown. But upon such a proposition he should feel it his duty to take the sense of the House; for were such public officers appointed, there could be no great difficulty in deciding how they were likely to act in the event of any division in the committee, whether they would take the side of the ministers of the Crown or against them. But he objected not alone to the proposed construction of the committee—he thought that too many objects were to be referred to its consideration, according to the noble lord's motion. In his view a second committee should be appointed, to which should belong exclusively the investigation of the question, whether any and what reduction or regulation should take place in the several public offices, and this committee, should, for obvious reasons, consist of men, intelligent no doubt in public business, but for obvious reasons, totally unconnected with office. Such a committee should indeed consist of those who might be considered as independent men. Perhaps this observation would not be deemed strictly parliamentary, as all members of that House were regarded as independent. But he meant those, for instance, one of whom was generally listened to with peculiar attention upon questions of economy: and who was always at hand on such matters.

By the appointment of committees, dividing the examinations, the House might have a tolerable certainty of getting the reports during the session; but if not, they could never satisfy the minds of the public, who would only see that they had appointed a committee of 21 with no great probability of doing any thing effectual,

and who would not out of doors express themselves with as much courtesy as he felt obliged to show within. If nobody else did, which he hoped some one would, he should feel it his duty to propose a second instruction for the naming of a committee, by a good and fair selection, which ought to be met by ministers honestly, fairly, and above board. He must, in honesty, tell the House, that one great object with him, respecting the committee, was, the reduction of the influence of the Crown. Was it intended, that the state of the civil list was to be subjected to the examination of the committee, with a power to send for persons, papers, and records; or was it not? The fourth class of the civil list, he understood, to be the only class in which the Prince Regent had a direct personal interest. Now he wished to examine the third class, and to sift and probe into the expediency of all the appointments and charges which the noble lord had thought proper to make in his diplomatic arrangements. He wished to know whether, under all the circumstances, the House would entertain the idea that they were not to look into the establishments; the expenditure of the double court of Windsor and Carlton-house, with all the extra grooms and lords of the bed-chamber. For his own part, in wishing for examination, he did not desire to take away any thing from the real splendour and dignity of the Crown; but if none of these offices were abolished, there would arise a question as to the propriety of such officers holding their seats in that House. Did the House recollect the number of holders of offices now sitting there? There were not less than 60 of these gentlemen, all of whom were liable to be dismissed at pleasure. If they deducted their number from some of the ministerial majorities, the result would appear, that the fair and free sense of the House was against the measures of ministers. He did not mean to say that gentlemen holding offices acted unjustly, and unconscientiously in their votes; they acted with their party, and he threw no blame upon them for that. But yet, it must in fairness be observed, that they had an additional stimulus. He remembered what the late Mr. Fox had said on this subject: he had observed, that a gentleman's holding an office during pleasure might not be a reason for his vote; but that it was a symptom of the vote he might be expected to give. The only real road

to the certainty of economy was by taking away this kind of influence; much economy, he was convinced, might then be effected. Many members, too, were certainly connected by the ties of relationship to those who were in power. If any impartial committee made a report on the subject of the influence of the Crown, it would appear but a mockery to expect economical reductions, until that influence was itself reduced. This, he repeated, was the only sure way of arriving at economy. He hoped, therefore, that the noble lord would agree to a practical mode. Opportunities would, of course, arise for objections to be made to any particular names proposed: but let the House desire the noble lord to leave out the names of the holders of public offices, and to act with straight forward, down-right honesty. Let them show the country, that they would not merely do what was prescribed to them. It was extraordinary, that the proposed committee was, according to the noble lord's motion, to direct its inquiry to precisely the same object which the motion of last session had in view, and which was negatived through the opposition of his majesty's ministers. This, however, he denied: the committee for which his noble friend moved last session, was only to inquire into the question, whether any, and what offices could be abolished or reduced? But the committee now proposed had a different object, as must be evident, notwithstanding the apparent dissent of the right hon. gentleman opposite, who seemed taking notes with a view to answer his observations. But that right hon. gentleman would find it difficult to deny the difference which he had alleged. The main point, however, to which he wished to direct the attention of the House, was this, that the proposed committee was not calculated to satisfy the country, or to fulfil the duty which that House was called upon to perform under existing circumstances.

The *Chancellor of the Exchequer* said, that the whole force of the argument of the right hon. gentleman who spoke last, was turned to convince the House, that instead of appointing one committee for the purposes which had been already stated, there ought to be different committees for the separate investigation of every branch of the public services, including one for the investigation of the colonial establishments. According to

this plan, there would be four committees instead of one, and from three of these the right hon. gentlemen would have all men in office excluded. On this he was of a totally different opinion. In examining the details of the colonial service, the House ought, as much as in the examination of any thing relating to the finances, to call for the assistance of those, who being conversant with all that related to the subject, must be the best able to supply that information, without which they could form no correct judgment, and come to no proper decision. But as on this point, the other part of the motion of his noble friend, which related to the instructions to the committee, would soon come before the House, and as there would then be a better opportunity for discussing it, he would say no more at present. He would rather now say a very few words with reference to the financial statements of the right hon. gentleman, and endeavour to set him right in one or two instances. First, as to the gracious communication from his royal highness the Prince Regent, which had that night been delivered to the House through his noble friend, the right hon. gentleman had made some observations which, in terms not ambiguous, imputed blame to his majesty's ministers for their tardiness in not sooner advising this measure, and he seemed to go so far as to say, that it was now so late that little good was to be expected from it. But surely the right hon. gentleman would allow, that it could not have been made at an earlier period of the session. And if it were still said, that it might have been done even before this session, he would beg the House to consider the situation in which his Royal Highness had been placed with respect to his income, and when that was considered he would ask how much earlier than the present time was his Royal Highness enabled to ascertain or compute what reduction he could make in his expenditure as compared with his revenue. Previous to the arrangement made during the last year, the civil list had been unable to support itself without the assistance of additional grants from the House; therefore, any attempt to give up any part of it would have been a mere mockery, as it would be no more than taking a sum which the House would have been afterwards obliged to make up. But when, during the last session, parliament had liberally, and, as he thought, wisely, put the civil list on a different footing, and

had made an arrangement, which, without any thing like extravagance, was sufficient for the purposes of the state, it had done that which enabled his Royal Highness, in the present times of difficulty, to take the lead in measures of economy and retrenchment in his own expenditure, and of liberality towards the more distressed part of his subjects. Upon what personally concerned the members of his majesty's government, he was only anxious that the sacrifice which they meant to make might not be construed as in any way admitting such a principle as that of taxation upon office. What they had done was merely voluntary. And he had no doubt that the other gentlemen who held offices under the Crown would follow the example which was set them from the highest quarter, and would make sacrifices which the illustrious person at the head of the government had felt it his duty to make.—As to what had fallen from the right hon. gentleman on the subject of the sinking fund, it was with great pleasure that he heard from him and the other gentlemen on that side of the House, the sentiments which had been expressed as to the steady and inviolable faith which ought to be kept with the public creditor. But although the right hon. gentleman was very wrong in his details with respect to the sinking fund, it was much more important to notice an error which that right hon. gentleman had made in summing up his account of the income and expenditure. In making up his account of the income, the right hon. gentleman stated only that of the British consolidated fund, but in the charge he included the whole of the expense of a great part of that of Ireland, to the amount of 3,000,000*l*. So that the right hon. gentleman was wrong in no less a sum than this 3,000,000*l*. To correct the erroneous impression which might be given by the view of the state of our finances, which had been taken by the right hon. gentleman, he was desirous of offering a few observations to the House; 1st, on the balance between our income and expenditure; 2dly, as to the debt which had been contracted and paid off; and 3dly, as to the view which the right hon. gentleman had taken of the situation of our resources and of the state of our finances during the last year, as compared with that which was to be expected from the present. First, then, as to the balance between our income and expenditure, it was very satisfactory to think, that during

the last year, notwithstanding the heavy disadvantages under which the finances of the country laboured, the navy debt was reduced to the extent of 1,000,000*l.*, while that of the exchequer bills was increased by exactly the same amount. In the consolidated fund there had certainly been a considerable deficiency. For the four quarters ending 5th January, 1817, the total amount of the deficiency in the consolidated fund was about 970,000*l.*, or perhaps it might be more accurately stated at 1,000,000*l.* The actual deficiency was 400,000*l.*, to which was to be added the arrear of the property tax unappropriated, which made it up to the sum which he stated. During the year there had been a deficiency in most of the branches of the public revenue, which, on the whole, might be fairly calculated at a diminution of 10 per cent. on the whole revenue. In the customs it was as much as 20 per cent., but in the other branches it was much less, making it on the whole what he had stated it to be. He would ask whether, considering all the circumstances of the last year, this deficiency was to be wondered at, when it was considered that, in former years, there had been a deficiency of 10 per cent. occasioned merely by a bad harvest? Any predictions as to the future prospects of our income were to be made with caution. The committee about to be appointed would have an opportunity of inquiring into the correctness of the data on which he founded his hope, that it would considerably increase. The right hon. gentleman having stated a contrary opinion, induced him to say this, and he said it with confidence, though it was an opinion which experience must prove or overturn. With respect to the third branch, it must be a great satisfaction to the House to know, that notwithstanding the diminution of the income, which had rendered it necessary to anticipate the taxes by issuing exchequer bills to a very considerable amount, yet a progress had been made last year in the diminution of the public debt, a much greater than, under all the circumstances of the case, could have been expected, and certainly greater than he had felt himself last summer warranted in holding out to the House. The diminution of the debt which had been effected, was larger than had been made in any former year. The amount of the public debt paid off in this country was nineteen millions of stock, and in Ireland one million, making together 20,000,000

of stock, or about 13,000,000 of money. Under these circumstances it might naturally be supposed that the unfunded debt must have been greatly augmented, but he was happy to say that such was not the case. On the 5th January, 1816, the amount of outstanding exchequer bills was forty-one millions and a half, and on the 5th January, 1817, thirty-eight millions and a half, besides six millions which the bank held in consequence of an advance which it had made to government; there was, therefore, an increase of about three millions in the unfunded debt, but there was at the same time a diminution of two millions of navy debt, and of 500,000*l.* of army bills. So that, in fact, there was no actual increase of the unfunded debt in this country. In Ireland the unfunded debt had been increased by the issue of three millions of exchequer bills, so that deducting the increase of the unfunded debt in Ireland from the decrease of the funded debt in England, it would appear that the actual diminution of the total debt of the United Kingdom was about ten millions, not of stock, but of money, in the course of the last year. This statement would afford solid grounds of hope for the future, and he had thought it necessary to say thus much, in order to take off any unfavourable impression made by the speech of the right hon. gentleman; but he would not occupy more of the time of the House at present, as many opportunities would occur of going more into detail, and of laying before the House full explanations on the subject.

Mr. Grenfell was certainly convinced that it was highly desirable to keep up the sinking fund, under the meaning of its being a fund to provide for the extinction of public debt; but the hopes of the noble lord appeared to be confined only to making income square with expenditure. The right hon. gentleman (Mr. Tierney) had stated his opinion, that it would fall short. He (Mr. G.) wanted to know what could be applied this year to extinguish debt, excepting by borrowing money.

The *Chancellor of the Exchequer* was ready to mention his opinion as to the probability of our being enabled, in the present year, to pay off any part of the debt, or as to the falling off of the revenue. His hopes were, that a considerable sum would be paid off in the course of this year, though not so much as in the last.

Mr. Saville expressed the fullest confi-

dence in the views of his majesty's ministers, but said, that he should rather wish to have the proposed committee nominated like an ordinary election committee, namely, by putting the names of all the members present into glasses, from which each member should draw twenty-one names, or if that plan were objected, that the names of all the county members only should be put into the glasses.

Mr. B. Shaw asked, whether it was to be understood that the produce of the sinking fund would be applied *bonâ fide* to the reduction of the public debt, or to the payment of the current expenses of the year?

The Chancellor of the Exchequer replied, that the produce of the sinking fund would be applied solely to the purpose for which it was destined, conformably to the several acts of parliament with respect to that fund.

Mr. Brand said, the House were then engaged in a discussion which excited more anxiety and a deeper feeling in the mind of the public than had been done by any subject brought before their consideration for many years. The question this day was no other than this—whether his majesty's ministers, who had so long practised the utmost extravagance, contrary to the professions made by them, were at last to produce some measure of economy and retrenchment, which should answer the expectations of the country, and restore to them that confidence which they had forfeited? There was no man in the House who regretted more than himself the spirit of disaffection and turbulence which prevailed out of doors; but he was convinced that by nothing would that spirit of disaffection and turbulence be so much excited as by the measure of the noble lord if persevered in. With respect to the first part of the motion he had nothing at present to observe. It was to the second part of the noble lord's motion to which he wished more particularly to confine himself. Certainly, when they were about to inquire into what reductions ought to take place in the public expenditure, at a conjuncture such as the present, placemen and persons holding sinecure offices ought not to be on the committee. Certainly, the confidence of the country could be regained by no measure so effectually as by a motion for the appointment of a committee; but it must be a very different measure from that of the noble lord which would produce such an effect. The

people of England did not place confidence in the gentlemen on the opposite bench when they professed economy; they remembered too well that they had made the same professions last year, and yet that they had immediately after such professions created useless offices, and increased the salaries of many officers. It was at this very moment proposed to continue an office vacant by the death of lord Buckinghamshire, that of clerk of the pleas in Ireland at 4,000*l.* a year, which, in a report of a finance committee of the House, was declared to be one which ought not to be continued. When the vice-treasurership of Ireland was created, that measure had been reprobated as one of the most barefaced jobs which had ever come before the House. This office of clerk of the pleas was continued with the very same views which had given rise to the vice-treasurership of Ireland, and would, in all probability, be bestowed on the same individual for whom the other office had been created. He would again warn the gentlemen opposite, that if they persevered in this measure, if they did not yield to the feelings of the people, and allow a fair inquiry to be instituted as to what retrenchments might be effected, what useless places abolished, what pensions enjoyed by undeserving individuals withdrawn, they would never gain the confidence of the people, nor be able to execute with effect the functions placed by the constitution in their hands. He should move as an Amendment, to leave out all the latter part of the motion of the noble lord, and in lieu thereof, in the first place, move, "That the select committee to be appointed, should inquire into what reductions since the year 1798 had taken place in the salaries and emoluments of the different persons holding public offices, and to consider what farther measures might be instituted for farther reducing the expenditure of the country."

The Speaker said, that it would be necessary for the hon. gentleman, in the first place, to move by way of amendment, that the second part of the motion of the noble lord should be omitted, and if that was agreed to, then the hon. gentleman might move that his amendment be substituted.

Mr. Brand accordingly moved to leave out the words, "and also to consider what further measures may be adopted for the relief of the country from any part of the said expenditure, without detriment to the public interest."

Lord *Castlereagh* wished to call the attention of the House to the nature of the amendment now proposed by the hon. member. By removing the last clause of the motion, it would then be merely a motion for a committee to inquire into the state of the income and expenditure of the country, and that part of it (certainly the most important), which instructed the committee to inquire into what reductions might be made, would be entirely removed. It appeared to him, that nothing could be more absurd than for the House to agree to such an amendment.

Mr. *Brougham* hoped the suggestion of the hon. gentleman under the gallery (Mr. *Saville*), coming from the quarter it did, would have due weight with the noble lord. If the noble lord was sincere in his professions of economy, and if he wished that this inquiry should be carried on in a work-manlike manner, the only one object which he ought to promote, was the appointment of such a committee as was likely to institute the most rigorous investigation. But the truth was, that this measure had been forced on the noble lord—one set of circumstances had turned up and another gone down; in plain English, he had consented to the present inquiry, because he could not resist it any longer. But it would be said, perhaps, what did they ask? In answer to this, he would say, here was a measure proposed with the view of investigation, which could not possibly lead to a sincere investigation—a measure, which under the mask of inquiry, would smother all inquiry—which would substitute for that House a committee to flounder about in the mazes of the public accounts, and to do what an accountant would be more likely to do successfully, namely, to find out what was the income and the expenditure of the country, and to strike a balance. And if he were to venture on another prediction, from the names proposed by the noble lord, he would, in common with his friends on the bench below, hazard a prophecy, which would not fail to be fulfilled any more than his last had been, that the very first proposition made in the committee by the noble lord, would be opposed by his right hon. friend, and put to the vote, and that that vote somehow or other would turn out to be favourable to the noble lord. He would hazard another prophecy—that the committee would then begin their labours with a vast and voluminous mass of accounts;

and what would be the consequence? Why this, that for three months of the session the House would hear nothing whatever of their labours, and then they would lay before the House a balance which an accountant could do just as well. But what was wanted was not such an inquiry as this, but an inquiry into the means of reducing the expenditure of the country—and that this inquiry into the means of reducing the expenditure should be kept separate from all other inquiries. To that subject the attention of the country was directed, and it would continue to be fixed on it till the House should enter on an inquiry fairly calculated to answer the expectations of the country. But how, he would ask, could the expectations of the country be answered by an appointment like that proposed by the noble lord, which would have the effect of smothering every thing like investigation? A separate investigation by a committee confined to one specific object, was the point to which all eyes were turned,—an investigation how far useless places could be abolished—how far sinecures could be destroyed—how far the patronage of the crown, in and out of parliament, could be abridged. At a time like the present, when the last shilling was wrung from a suffering people, it became of importance that no burthens, however small, should be borne by them, but such as were absolutely necessary. At such a moment every tax was heavily felt by the people, and even a tax to the amount of only 3 or 400,000*l.* was of the utmost importance. The tax might be said to begin only with this, but it ended with placing at the disposal of ministers a patronage which enabled a bad government to carry on the affairs of the country in times when even a good government would find it difficult to support itself. A great deal had been said by the noble lord against the manner in which the committee of 1807 had been appointed; but he would say that a more unfounded clamour never had been raised than the one in question. His noble friend now no longer in that House (the marquis of *Lansdown*), had acceded to the committee the moment it was proposed by Mr. *Biddulph*, and Mr. *Biddulph* feeling satisfied that the subject was about to be taken up by abler hands, waved the further prosecution of the measure proposed by him. The charge now brought against the noble marquis was, that in striking the committee, he had not chosen any of

the gentlemen on the opposite side of the House—that he did not seek for destroyers of sinecures, and abolishers of useless offices among those gentlemen who then happened to sit on the side where he now sat. But had his noble friend done so, he would have frustrated the very object which he had in view, the abolition of useless expenditure, and Mr. Biddulph would never in such a case have consented to withdraw his motion. This would have been making these very gentlemen judges who were parties, for they were either holders of the offices and sinecures which it was proposed to abolish, or expectants, they expected that they would soon fill them, and they grudged every moment which his noble friend and those in office along with him held their places; and contrived at length by a base clamour to trip up their heels. His noble friend had, therefore, taken the appointment of the committee out of their hands, and appointed a fair committee; and if they wanted an eulogium of that committee, they would find it in what speedily followed. When the noble lord opposite, and his friends came into office, nothing more was heard of that committee, but others were substituted because it was feared that that committee would do its duty, and propose to cut down all sinecures and useless places. He had a slight suspicion that matters would go on very differently in the present committee. The noble lord had proposed six gentlemen from his own side of the House, and then six gentlemen from the other side—and certainly nothing could, arithmetically speaking, be more exact, with reference to the two parties;—but then, if they were to look to the working of the committee, if he might take the liberty of borrowing an expression of the noble lord's, it would be found that the six individuals taken from his side of the House would be without any followers, whereas the other six from office would be found, somehow or other, to possess a great deal of influence among the nine neutral men as they had been called. Of the other nine members, he would not say that all would follow the six ministerial members, but this he would say, that they would not follow the other side; and that in all questions of reductions which should be opposed as trenching too much on the influence of the crown, the six opposition members would stand alone, or at most gain over one or two members from the neutral side. It

had been said that men in office were necessary to be on the committee, for the sake of affording the necessary information; but when there was a power of sending for persons, papers and records, he could not see that they were required in the committee as members. Was it necessary that the parties interested should sit as judges in their own case—for the first question which ought to be put was, shall a gentleman sitting in the committee be allowed to occupy a useless place? If his own views were the same as those entertained by his friends below him—and he had no reason to think otherwise—he conceived they would not merely propose the abolition of useless places, but proceed to a very disagreeable task, although one which, in the present labouring state of the finances of the country was highly proper—for he considered propriety and safety as one and the same thing—that of reducing all the salaries of all the high offices of state. No man had ever opposed more strenuously than he himself had done, that groundless clamour which accused public men of receiving too great a proportion of the public money. It would be much nearer the truth to strike a balance, and say that some were paid at too high a rate, while others were paid but moderately. But former times were different from the present, and a different rule of conduct was called for. It was one thing to have a surplus, and an improving revenue, which was annually paying off millions of the public debt, and another to have a revenue deficient, and every day falling off more and more—for it was not merely as had been stated, the defective harvest which had caused this deficiency—there was a falling off in the quarter before it was known that the harvest could be bad—there was a falling off in the produce of the customs, the excise, and the assessed taxes, and the deficit was gradually increasing, and would continue to increase. This showed that something was rotten in the state, though he hoped it was not incurably rotten. The chancellor of the exchequer had said, the House ought not to be astonished at finding only such and such a deficit, when they recollected the circumstances of the country, and the extreme distress which prevailed. Why this was admitting the evil of which all complained, and deriving consolation from distress itself. Certainly there could be no doubt that it was because the trade and industry

of the country had fallen off, that taxes and every thing else had fallen off in the same proportion, for this very same reason, they had every reason to suppose that next year affairs would be worse. This year they were told that there would be a surplus of 1,200,000*l.* adding the sinking fund to the revenue. But 12 or 13 hundred thousand pounds were this year derived from arrears which could not be received in future years, and consequently the overplus of this year would cease next year. The chancellor of the exchequer referred to the budget which he would have to bring forward this time twelve months; the disclosure of his plan with respect to the sinking fund. He did not mean to say that he had announced his intention to take the sinking fund, but somehow or other he would have to make up the deficit. Where was the twelve millions of deficit to come from? He must either raise the money by a loan, or by jobbing with the bank in exchequer bills, or by some such measures, a mode of raising money of all others the most ruinous and improvident. These were the usual resources of improvident spendthrifts. It signified nothing, in so far as the reduction of the debt was concerned, whether he took the sinking fund or kept it up; but if he kept it, it was merely borrowing with the one hand and paying with the other. We were now got to such an unprecedented state of financial embarrassment, that we could barely make the two ends meet this year, and we had the prospect of a constant and rapid diminution of revenue; and if they were to go on in this manner they would be able to make them meet in no manner whatever, and then they would not merely be under the necessity of taking the sinking fund, but also of having recourse to a measure, the necessity of which he trembled to contemplate—a violation of faith to the national creditors. There was only one other measure left for them, that of cutting down the establishments of the country.—They had either the prospect of not being able to pay the interest of the national debt, or they must cut down the establishments still more, and, under the present distressed circumstances of the country, diminish the salaries of the great officers of state. Knowing, therefore, that this diminution and reduction was one of the first objects of the inquiry, would they make themselves parties to the gross fraud and delusion now attempted to be practised on

the country, by appointing those officers whose salaries ought to be reduced to be the judges of that reduction? In lord Lansdowne's committee, not one person in office was named but lord Lansdowne himself, and that by mistake—and his lordship had never attended. Let him only see a committee so framed on the present occasion, even though it should be taken from neutral ground. He cared not how it was composed—how few of party men, on whom the noble lord had bestowed such eulogies to-night were on it. But let them avoid the shame of putting those members on it who could not possibly be expected fairly and impartially to discharge their duty. It was not his intention to go into the statements of the noble lord respecting the military estimates. Various opportunities would occur for entering on the subject. This much, however, he would now say, that he considered the proposed reductions insufficient; and when this subject came again before them, he should state his sentiments to the House. However, he would take this early stage of requesting the House to remark, that the noble lord had conceded one point, namely, the amount of the permanent peace establishment; though it was no small puzzle to know what they meant by peace establishment; there was first one and then another, and even that was not the real, for when he said permanent, the noble lord shook his head. All he could say on the subject was, that at the end of the American war the establishments were less than at present in the proportion of 6 to 13 millions; for after deducting the half pay, there was a balance of 7 millions in the present above that at the close of the American war. The rise of pay would not account for more than a million of this balance. The communication of the intended reduction on the part of the Prince Regent, as far as it went, was of a nature to give great and very general satisfaction. He trusted, that this example would have imitators among all those in the immediate neighbourhood of that illustrious personage. He trusted that reduction would descend still lower, and that the officers of state would go and do likewise; that they would give up somewhat to the difficulties of the times, and the unprecedented embarrassment of the finances. He understood that the noble lord had intimated a reduction of a tenth; but that was not the proportion which

ought to be given up; he hoped the example of his Royal Highness would be followed to the very letter. It did not signify to talk now about keeping up dignity and splendour. Public men could not feel too sensibly the importance of retrenchment at the present moment. He was no enemy to the true splendour that ought to surround the throne. No man was more desirous than he was to support that monarchical establishment established in this country, which in his conscience he did most sincerely believe to be the only form of government consistent with civil liberty; but it was because he conceived that monarchy in danger that he recommended them to bear in mind, that the best safeguard of the monarchy was the planting its roots firm in the affections of the people; that instead of the flourish of useless ornaments and gaudy trappings in the present distressed state of the country, nothing was so becoming as for the highest classes to sympathize with the lowest; that nothing was so graceful as poverty in public men; that nothing was so honourable as men in high stations, with great opportunities of becoming wealthy, discharging their duties, and neglecting the means of amassing riches; and that the monarchy would be found the more firmly planted, by how much more the people saw a diminution of all useless splendour. At other times that splendour and expense might be allowable, nay, even advisable, which did not accord with the calls of the present crisis, a crisis which demanded the practice of the most rigid self-denial in every branch of the public expenditure.

Mr. Canning observed, that from the general tenor of the discussion, argued as it was in almost every point applicable to the immediate question, he had little expected that the House would have been overwhelmed by the line of argument pursued by the hon. and learned gentleman who last addressed it. He had not been so sanguine as to expect that the proposition of his noble friend would have obtained the general acceptance of every part of that House, but he must confess that his impression was, that the doubt would have been whether the establishments were not cut down lower than was consistent with the true interests of the country. He would, unchecked by the reception that the observation had met with, repeat advisedly, that the impression of that truth was so strong in the conviction of

his majesty's government, that it was only overcome by the sense of the peculiar exigency, and by a desire to satisfy the awakened anxieties of the country, on the extent of national expenditure. It was the evidence of that conviction, he had a right to presume, which accounted for the altered tone of the gentlemen on the opposite benches. They had found it convenient to dismiss from the discussion of that night, all reference to the alarming dangers of a military establishment; dangers to be viewed in the double acceptance, as they were described, of an immense expense upon the finances of the country, and of extreme danger to the liberties of the people. God forbid that he should ever undervalue the danger of standing armies, swollen to an unnecessary magnitude, to the constitution; but no man had that night insinuated the least doubt but that the fallacious apprehensions so circulated on that point were entirely done away. Indeed the hon. and learned gentleman had founded his opposition on totally different grounds. He seemed dissatisfied with the amount of retrenchment in the proposition of his noble friend. Yet the right hon. gentleman on the same side of the House had admitted candidly and fairly, that the proposition of retrenchment was less by 600,000*l.* than he, with the most laudable scrutiny, had anticipated. Could the House doubt that there existed the sincerest disposition to meet the difficulties of the pressure by every practicable economy? Did not the estimates in every item evince the reality of that intention? Was there any thing in the proceedings of his majesty's government on this subject on which any hon. gentleman could lay his finger, and say "here is a proof of a disposition to continue extravagant expenditure?" If any thing could be adduced against their conduct, it was directly in an inverse ratio to what was alleged by their political opponents. So far from the liberties of the people being menaced, (and here he meant nothing invidious) it would be found, that the civil power was suffered to act, until it became absolutely necessary, in consequence of turbulence and insubordination, to call in the military to their aid. Coming to that part of the question, on which hung the difference of opinion, with respect to the vote of this night, he demanded of the gentlemen opposite, whether they were prepared to say (for the first

time the principle was ever laid down), that that class of men, who, from all time, had sat in the House of Commons, and the expulsion of whom from the House would occasion a change in the constitution, were to be pointed out as utterly unfit for the performance of the functions they had long been accustomed to discharge in that House? What else could the objection mean, which said that such men were unfit for the service of the House in a parliamentary committee? Pursuant to advice from the throne, a committee was proposed to examine into the situation of the expenditure and income; to see how far the civil and military establishments could be diminished; and to endeavour to place the expenditure on a level with the receipts. The learned and hon. gentleman, however, contended that the object of this committee ought to be to diminish the influence of the Crown, and that, therefore, official men should be excluded from it. It was a matter of argument, whether the influence of the Crown had grown up within the walls of parliament. If tried even by the test of those who maintained that it had, it would be found, that the number of persons holding office in parliament was infinitely diminished, when compared with what he supposed the hon. and learned gentleman would call the best times of the constitution. When compared with the days of the whigs; with the time when the septennial bill was passed; when those saviours of liberty were in power; from that time, downwards, an evident diminution in the number of official men in parliament might easily be shown. Gentlemen opposite had therefore no right to assume that the object of the committee was to diminish the influence of the Crown, and to state that as a reason for excluding from it official men. If a committee were specifically formed to inquire whether the influence of the Crown, had not been increased, and ought not to be diminished, then, indeed, it might be right to reject the members of government; but he denied, that the committee now contemplated, had any such object in view. What was this committee to be appointed for? To consider what could be done in the way of reduction; although probably no very considerable relief could be expected from its labours. In observing on that part of his noble friend's speech, in which he stated, that he and his colleagues

meant to give up a part of their income, the right hon. gentleman had observed, with great candour, that it was not the amount of the sacrifice he cared for, but the sentiment and feeling which was displayed. How was that to be reconciled with the dissatisfaction of the hon. and learned gentleman, at the scanty retrenchments of the officers of the state? This way of receiving such a proposition, was not very encouraging to any farther sacrifice, or to any fresh instance of self-denial. Never, till the hon. and learned gentleman had stated his sentiments, had reduction in the salary attached to office, been considered in any but in one of these two ways; 1st, as taking its share fairly with the other burthens of the country; or, 2dly, as manifesting sympathy and commiseration for the sufferings of the people. But the hon. and learned gentleman seemed to think, that considerable relief might be effected by the reductions he spoke of. If, however, he looked to the labours of former committees, and examined their opinion on the subject of reduction, he would not see any great reason for supposing, if his suggestion were complied with, that it would produce the effect he seemed to imagine. He did not mean to say, that every possible reduction ought not to be made. They ought to take all they could; "*Res valet quantum valere potest*:" but still, he was convinced, the effect would not be such as the hon. and learned gentleman expected. The only point they had to consider was, whether any reduction could be made in the public expenditure; and, in that view of the question, he contended, that official men, in a fair and reasonable proportion, were necessary to the correctness of such an inquiry. But, it was said, if official men sat on the committee, it would put an end to any inquiry that might now be set on foot, with respect to irregularities in their offices. But that was not the case. If gentlemen looked to the order-book, they would find, that notices of four motions of that description were given for four different days, with which the finance committee could not interfere. The present time was not advantageous or proper for going into a discussion on the duties of this committee; but, with respect to its formation, it did appear to him, that no ground was stated to show why the House should not repose the same confidence in it, that they had hitherto placed in committees of finance and expenditure; nor

could he see in the names of that committee (and he could speak without reserve, his own not being in the number) any one that could excite the smallest suspicion of an improper bias.

Mr. *Wilberforce*, after the best consideration of the subject, could not give an entire approbation to the appointment of the committee. It would be unfair not to acknowledge, that the sacrifices which the Prince Regent had offered to make presented an example worthy of imitation by the ministers of the Crown. The appointment of a committee to inquire into the reductions possible in the civil and military establishments was highly expedient; but he was much afraid that no report could be made to the House in sufficient time to be useful for present purposes. His mind was pretty fully made up on this point, when he heard the noble lord say that it might sit one year, or two years, or perhaps three years. If that were the case, what benefit could be expected to result from its labours? Could it be even expected to last out its full time? Was there not one idea intimately associated with such a committee—namely, that the dissolution of parliament would put an end to its labours and its existence? If only the length of time were considered, that alone was a great objection to it. On a former occasion, on which the Speaker sat with so much ability, no report was made till a considerable time after the formation of the committee. His right hon. friend had admitted that if the committee were appointed to effect a diminution of the influence of the Crown, it would be improper that any official men should be comprehended in it. Now, in his opinion, the principle applied equally to the present case. When it was made a direct question? Whether or not certain offices should exist, did it not clearly affect the influence of the Crown? With respect to the influence of the Crown, he contended, in opposition to the right hon. gentleman who spoke last, that it had increased very considerably of late years. Perhaps the immediate influence of the Crown in parliament might be less than formerly, but when he considered the great increase of our establishments, military, naval, and fiscal, together with our vast colonial possessions, it was impossible not to see that the influence of the Crown was exceedingly augmented. It in fact met every man every where. He believed however, that the re-action was greater than the action;

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and that the very attempt to augment it, would tend to weaken its legitimate effect. While he deprecated as much as any man those attempts which had been made to inflame the public mind, and excite a contempt for our excellent constitution (which, as the hon. and learned gentleman had said, was the only form of government that could secure the happiness and independence of a nation), he by no means granted that the way to reconcile the people to their sufferings, and to quiet their minds, was by refusing to make such diminutions in every department as could be effected without injury to the public service. It was of extreme importance with regard to the estimation in which parliament was to be held by the people, that it should act in a way to secure their good opinion and confidence. Their tempers might be a little soured by their sufferings; and they might, under the influence of such feelings, look with jealousy on a committee so appointed, as not to hold out any hope of substantial relief. So great was the influence of the Crown, that it would be very difficult for any members of the committee to maintain opinions different from the wishes of the government; and therefore, while he acceded to the first proposition, for the appointment of a committee generally, he heartily wished that in the subsequent proceeding some mode might be adopted better calculated to produce unanimity than the nomination of the noble lord; and that all parties would join in trying to make the proposed committee effective. He did not expect that any thing would satisfy the really disaffected: but he should be sorry, that those who loved the constitution, although distress might have soured their temper a little, should have an opportunity of saying, that such a committee had been formed as could produce no useful effect.

Mr. *Vesey Fitzgerald* observed, that an hon. member adverting to a report on the table, had stated, as a proof that economy was not attended to, that a sinecure had been preserved for him, because he had refused another office, the salary of which had been reduced.

Mr. *Brand* said, he had alluded to a statement in the public prints, which set forth, that the right hon. gentleman was to be remunerated by a place, the salary of which was equal to that originally intended for the vice-treasurership, which latter situation had been given to another person.

Mr. *V. Fitzgerald* said, that, up to the present period, he had not, directly or indirectly, reason to suppose, from any person connected with his majesty's government, that the office was intended for him. On whatever principle he had thought proper to retire from the office he held under the Irish government, those who best knew him would say, that he had no right to be ashamed of his conduct on that occasion.

Sir *T. Acland* thought, that the object of the committee could not be attained, unless official men, capable of entering into the details of expenditure, were attached to it; neither did he believe it would answer the end proposed, unless some of those who were in the habits of opposing ministers, and who were accustomed to investigate the expenses of the state, were also engaged in the examination. He was of opinion, that no imputations should be thrown out against an overture, fairly made, as this appeared to be. Therefore, he should give his vote for the proposition as originally made; and he would follow that up by a suggestion for reducing the official men on the committee to such a number as had heretofore been usual. At present he conceived, a greater proportion of official influence was sought to be attached to the committee, than was customary or proper.

Lord *Lascelles* rose amidst loud calls for the question. He said it was not his intention to detain the House for more than two minutes, but on the present occasion he could not give a silent vote. He, for one, derived great satisfaction from the statements which had that night been made on the part of ministers, and he was of opinion that when they went forth to the people, they would diffuse very general satisfaction all over the country. He knew that in some cases it had been said "concession was the parent of demand," but he doubted not the House would know how to refuse with proper firmness what it would not become them to grant. Doing this, however, it would be their duty to take into consideration the burthens of the people, and to lighten them as much as they could with safety. Concessions like those which had been that night announced; would be very gratifying to the country, and he thought it behoved every one who had it in his power, to follow the example which had been set. For himself, he believed ministers to be sincere in their professions, and was convinced the plans sug-

gested for the relief of the public were meant to be carried into effect. On the question, as to the formation of the committee, he must say he thought it would give greater satisfaction to the country, if it were made to include fewer names of men in office. He had no suspicion of the proposed members of the committee, but suspicion would be excited out of doors, which might be done away if the hint, he had just thrown out were acted upon. If so many official men were named to be of the committee, suspicion would be excited of the motives both of those who appointed it, and of those who accepted seats in it. He believed injustice would be done to both, by those who entertained such feelings, as he was confident any complaint of unfairness in the prosecution of the intended inquiry, would meet with a very different reception in that House from what some persons might be taught to expect. But assured as he was of this, with the view he took of the subject, he could not vote in favour of the proposition now before them, but with this qualification, that whenever a member of the committee should come forward, and state that he, in the execution of his duty, had met with any attempt to throw obstruction, improperly in his way, or whenever a statement should be made that went to throw doubt on the conduct of ministers with respect to the committee, he would support any motion that might be made to correct the evil, or to give the committee further powers. It was with a determination to act up to this resolution that he should give his vote that night, and he thought it was open for every member on the present occasion to take the same line of conduct. The distress of the country was certainly great, but he thought they had reason to hope they had seen the worst. He trusted that our export trade would revive, and living as he did in a county where manufactures were carried on to a great extent, he had some means of knowing what our situation was in this respect. One of the great causes of the stagnation which had been experienced was the circumstance of the foreign markets having been overstocked. This, he ventured to give it as his opinion, would not long continue to act against us; and indeed he believed things were already somewhat better than they had been. Commerce might speedily revive and flourish as heretofore; at present they had only to hope that this would be the case. He

repeated, it was his determination to give his vote for the committee as at present composed; but he wished it to be understood, that if any complaint respecting the course of its proceedings, though of the most trifling nature, should be brought before the House, he should be disposed to give a motion founded on it, his best support.

Mr. Ponsonby said, that with the greatest personal respect for the hon. baronet, and the noble lord who had just spoken, he could not help stating that he did not understand their arguments; for they both condemned the formation of the committee, and yet declared their intention of voting for it. The question for the consideration of the House was, how they could best attain the object proposed? which was stated, on all sides, to be a matter of great anxiety both within and without the walls of parliament. The noble lord proposed a single committee to examine into the income and expenditure of the country; and the hon. member from Hertford suggested the propriety of appointing two committees, one to investigate the expenditure, and the other to examine the income. The point for decision then was, whether they should have two committees or one? The hon. baronet and the noble lord thought that the assistance of official men was necessary on the committee; and if the labours of the committee were confined, in the first instance, to the consideration of the national income, he should very much agree with them. But, with respect to a committee for the investigation of expenditure, the most improper members were those holding places under government. In the present state of distress and discontent, expedition in their proceedings was the surest way by which they could convince the people that they were intent on diminishing their burthens. He would, then, ask, which was more likely to arrive sooner at the termination of the projected inquiry, one or two committees? They all knew the attempts that were made to traduce public men, and to malign our most venerable institutions. Why, then, were not means taken to show the people that these were base calumnies, and to prove to them, that the legislator meant to lose no time, and to leave no effort untried, in order to reduce their burthens as much as possible? He was persuaded that the fate of the country was in the hands of that House; and to render it

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capable of producing the salvation of the country, it was necessary, it was indispensable, that they should manifest a determination to alleviate the burthens of the people. The noble lord had that night stated what gave him very great pleasure. He had acquainted them with the disposition of the illustrious personage at the head of the state to contract his expenses, which would certainly produce great public benefit. Such a communication ought to have come sooner. But he would rather thank ministers for what they had now done, than reproach them for what they had formerly neglected to effect. The noble lord stated, that persons holding offices were willing to give up a part of their emoluments. He approved of this determination—they owed it to the country—but he thought the sacrifice ought to go farther than the noble lord had represented. There was no person receiving considerable emoluments who ought not to make a great sacrifice—and he spoke with confidence on this point, because he was an interested person. The reduction proposed appeared to him not to be sufficient; but he desired from no man a sacrifice he would not make himself. There was no man whose private means could less afford extensive sacrifices, but still he would make them with pleasure. It would be vain for him to say that any sacrifice he could offer would greatly benefit the country; but, if what he would cheerfully do was followed up, in the same spirit, by others, it would tend to alleviate the public burthens. It would, besides, teach this great lesson to the people, that those who derived emoluments under the Crown, were not that set of robbers and plunderers which malignant men had stated them to be. It would show them, on the contrary, that when the public exigency required it, they would cheerfully step forward to relieve their distresses. The noble lord said, that the income-tax was a fair criterion to go by, and that a reduction of 10 per cent. was sufficient. He (Mr. Ponsonby) thought the value of money a better criterion—and, he believed, 90% would do more now, than 100% a year or two ago. Therefore, he should propose, that the salaries to be paid in future should be regulated by the relative value of money, four years since and now. He begged to be understood, in saying this, that he was aware of many situations held by persons under government, the emoluments of which were so

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small, that it would be cruel to take any thing from them. His idea was, to make such a rate of reduction on the salaries of persons getting beyond a certain sum, as would prove to all classes that the House of Commons did not tax the people for their own benefit, but were ready to sacrifice their comforts for the general good of society.

Mr. *Gooch* professed himself as strong an advocate for economy, and as fully convinced as the hon. gentleman opposite, that much must be done, and be done speedily: he had expressed himself to that effect in the course of the last session, but the statement which had now been made by the noble lord was completely satisfactory to him.

Mr. *Calcraft* was surprised beyond measure at the hon. gentleman who had just sat down; he had called to recollection what had passed last session; he had expressed himself a friend to economy and to speedy reform and relief; and yet he was satisfied with the committee of the noble lord which might sit three years; this he deemed a speedy relief; he wished a reform in the offices of state, and he was satisfied with a committee containing seven placemen, who were thus to sit in judgment on themselves! He congratulated the constituents of the hon. gentleman; but he should be much surprised if they were satisfied with such tardy retrenchment and such ambiguous reform. He thought the proposal of a noble lord to support any member who proposed an amendment on the proceedings of the committee wholly inefficacious.

The question being put, "That the words proposed to be left out stand part of the question," the House divided:

Ayes..... 210

Noes..... 117

Majority 93

The main question being then put and agreed to, lord *Castlereagh* proceeded to name the committee. On lord *Binning* being named, Mr. *Tremayne* was proposed in his stead. On this a division took place:

For lord *Binning*..... 178

For Mr. *Tremayne*..... 136

Majority for lord *Binning* 42

On Mr. *Huskisson* being named, Mr. *Tremayne* was proposed in his stead. Upon this a division took place:

For Mr. *Huskisson*..... 180

For Mr. *Tremayne*..... 129

Majority for Mr. *Huskisson* 51

When the name of sir *J. Sebright* was proposed,

Sir *John Sebright* said, that he had been named by the present ministers a member of the civil list committee, but they refused the powers necessary to render it effective, and it was, in fact, a gross delusion upon the public. That he considered the present committee to be also a gross imposition, and that he would not put his foot into a committee so constituted, as by so doing he should be lending his aid to mislead and delude the public. That he was as hostile as any man to the factious and misguided part of the community, but that now was the time, when it became the imperative duty of all independent members and country gentlemen to come forward, and to support such measures as would conciliate and give satisfaction to the rational and moderate part of the community. He therefore declined to be a member.

Lord *Castlereagh* said, that the present committee had the powers which had been refused to the civil list committee.

Sir *John Sebright*—I am aware of that, but I owe it to my country not to contribute to practise a gross and scandalous delusion upon the public.

Lord *Morpeth* said, that his health would not allow of his regular attendance; but that even if that objection did not exist, he thought that the constitution of the committee was such, as not to merit the confidence of the country.

The names of sir *J. Sebright*, lord *Morpeth*, Mr. *Ponsonby*, Mr. *Long*, and lord *Stanley*, were withdrawn. The following are the names of the members appointed to form the committee: Lord *Castlereagh*, Mr. *Bankes*, Mr. *Tierney*, the Chancellor of the Exchequer, lord *Binning*, Mr. *Bootle Wilbraham*, sir *John Newport*, Mr. *Peel*, Mr. *Hart Davis*, sir *George Clerk*, Mr. *Frankland Lewis*, Mr. *Huskisson*, Mr. *Tremayne*, Mr. *Nicholson Calvert*, Mr. *Davies Gilbert*, Mr. *Cartwright*, Mr. *Holford*, Mr. *E. Littleton*, Lord *Clive*, Mr. *Gooch*, sir *T. Acland*.

HOUSE OF COMMONS.

Monday, February 10.

DISTILLATION FROM GRAIN.] Mr.

Maurice Fitzgerald seeing the secretary for Ireland in his place, took that opportunity of moving for a return of the quantity of grain consumed by the distillers of Ireland since the last commencement of distillation, and also for an account of the quantity of grain exported from Ireland since the 1st of September last. He stated, that in consequence of the late rigorous season, the poor of Ireland were reduced to extreme distress for want of food; that the crop of potatoes, their usual means of subsistence, had in general been very deficient; and that as oats were the only substitute to which they could look, the consumption of them in distillation and their free exportation were attended with very injurious consequences. The subject therefore became one of vital importance, and the House should turn a vigilant and cautious eye to its results. He should be very unwilling on other occasions to interrupt the distillation from grain, as it afforded a great and beneficial assistance to the farmers; but, under existing circumstances, it was attended with dangerous consequences to the well-being of the people, and no partial considerations should stand in opposition to their means of existence. This principle of benevolence was more imperatively demanded from the House in respect to Ireland, as the poor of that country were not entitled, by law, to call for parochial assistance. The distresses of the lower classes in that country could look for consolation only to the sympathy of the higher, and it must be known to the House how very limited that source of relief had become, by the very general absence of the great landed proprietors of that country.

Mr. Peel expressed his willingness to afford every information in his power to the right hon. gentleman, but he feared that the returns must, from their nature, be extremely defective, and therefore unsatisfactory. It would, however, be seen from them, that the consumption of grain by distillation was far from being as great as was generally imagined; and he assured the right hon. gentleman, that after all the inquiries he was enabled to make into the state of the late harvest, he was deeply impressed with the impolicy of suspending the distillation from grain in Ireland. It should be remembered, that when, on a former occasion, it had been deemed expedient to suspend distillation in Ireland, the circumstances of the two countries were widely different from what they

were at present; but if distillation were now suspended in Ireland, while it was permitted in England, the English distiller would have the command of the Irish market, and thereby enjoy an unfair advantage. He touched slightly on the serious injury that would result to the revenue if such a measure were adopted; but laying aside that consideration, he contended that the suspension of legal distillation would not prevent the consumption of grain, as the illegal traffic would again commence, bringing with it its long train of moral evils, while the superior expertness of the legal distiller would produce more spirit and consume less grain than the others.

The motion was then agreed to.

PETITIONS RESPECTING REFORM, &c.]

Sir R. Fergusson rose to present a petition from the town and parish of Dysart, in Fifeshire, signed by 1,200 persons, praying for a reform in parliament. He remarked on the very great distress suffered by every class of the community, and could not avoid saying, that as ministers were well apprized of its existence, they had acted very injudiciously in introducing that mockery of a committee for inquiry, which could but ill come up to the distresses of the people. He avowed himself a firm friend to parliamentary reform, but protested against the wild doctrine of universal suffrage, which had appeared so very prevalent.

Mr. Bennet presented a petition from Kilmarnock. He said, he was certain that no man in that House would assert that Scotland was represented. The gentlemen in that House from that part of the kingdom, might as well be said to represent New Holland as Scotland. It was true that the people might, under the severity of distress, mistake the real remedy, but that could be no argument why no remedy should be applied. The petition stated, that seats in the House of Commons were bought and sold like tickets for the opera.

Mr. Peter Moore presented a petition from the burgesses and inhabitants of the town of Birmingham. It not only prayed for parliamentary reform, but complained of not being represented in parliament. It had been agreed to in a most numerous meeting, distinguished by the greatest order.

Mr. Brougham expressed his satisfaction at hearing his hon. friend state that

the meeting was orderly and peaceable, and such he firmly believed was the case in the great majority of the popular assemblies that had lately been held throughout the country. He remarked, that whenever a slight breach of the peace had occurred, the circumstance was blazoned abroad, and affixed as a stigma to the great body of the people, but no acknowledgment was made of the good demeanour of those large meetings of 40 or 50,000 persons, where not the slightest disposition to outrage was manifested. He desired to impress it on the House, that all the petitions so numerous signed, which had been crowding to their table, afforded sufficient evidence of a populace in general peaceably disposed, who looked to that House as the only power by which their grievances could be redressed. It was owing to this that so many just praises issued from every part of the House on the good conduct of the people, such, he was confident, as, under similar distresses, was never equalled in the history of any nation. He was unwilling to say a word that might seem to anticipate the report of the secret committee. Until that report came before the House, it was the duty of every member to keep his mind as unprejudiced as possible, that, like a juror, he might come to a dispassionate examination of the whole case; but he should grieve exceedingly, if, notwithstanding the general tranquillity of the nation, some districts should be found where a serious spirit of discontent had been manifested. If, however, it was too early to form an opinion respecting the promised report, it must be considered too early for any one to act on it. Yet, within the last twenty-four hours, it appeared that some members of the committee had come to a practical conclusion on the ill conduct of many of the people. He was extremely sorry to find that a place usually free from political feelings, and not devoted in general to secular topics, should have been, after the precedents of the worst times of our history, prostituted to party purposes.

The petitions were ordered to lie on the table.

HOUSE OF COMMONS.

Tuesday, February 11.

PETITIONS RELATING TO REFORM,

&c.] Lord *Folkestone* presented the petition voted at the Spafields meeting on the 10th instant. Being totally unacquainted with any of the parties who signed the petition, and inimical as he was to some parts of its prayer, the noble lord professed his surprise that he was the member selected for presenting it, and could not account for its coming into his hands. As, however, the language in which it was couched was respectful, and as he was anxious that, in the present season of suffering and distress, no obstruction should be offered to the petitions of the people which made it known, he willingly undertook the duty of laying it before parliament. Parliamentary reform was only one of its prayers, and as it besides prayed for relief from the pressure of taxation, for retrenchment of expenditure, and an abolition of sinecures, he would have said a few words on the subject of economy, had he seen his majesty's ministers in their place; but as a note had been circulated, stating that they could not attend, he would for the present abstain.

The petition was read, and ordered to lie on the table.

Lord *Cochrane* presented a petition of the people of Hampshire, in general meeting assembled on Portsdown-hill. The meeting, the noble lord said, was numerous and respectably attended, notwithstanding the intimidation employed by the agents of government to prevent it, and the obstructions thrown in the way of a great attendance. Though there was a great assemblage, there was no disturbance: not only were the people quiet, as regarded others, but there appeared the utmost harmony and unanimity among themselves. Such, it would seem, was not what was wished for or expected; for, either from motives of prudence, or others not so defensible, the cavalry were called out, ball cartridges were dealt to them, the guns of the garrison were loaded, and the garrison itself wore the appearance of a besieged fortress. Whether the object of the authorities was to adopt precautionary measures to keep the peace, or an intimidating attitude to prevent the meeting, he could not guess; but he might say, that these measures for the former object were useless, however the latter might be attained to a certain extent. No riot, no commotion, no disturbance, no tendency to tumult or disorder was manifested. The business of the meeting

was conducted with regularity and decorum, and numbers signed the petition on the spot, all of whom heard it read, and concurred in its sentiments. There were many symptoms of displeasure on the part of government, and several acts of interference that tended to diminish the numbers who would otherwise have attended. Handbills were posted up at the turnpikes, and in other situations leading to the place of assembling, of the most threatening and alarming nature, commanding all who valued their safety to keep away, and alluding to scenes of blood and murder which had happened in consequence of meetings convened for similar purposes in other parts of the country. Had such means as these not been resorted to, the noble lord was confident, that not only 20,000 but 100,000 individuals would have been assembled. Adverting to an observation made by an hon. and learned gentleman (Mr. Brougham), that no member should express his opinion of the language of a petition till he was questioned by the authority of the House, he would say, that he was not disposed to adhere even to that rule; but would declare that, if after the house had laid down a principle, defining what petitions should be received or rejected, he saw any thing that appeared contrary to this expressed principle, he would mention it, without fear of what might be said within the House or without. This petition appeared to him to be liable to no objection in point of language. It prayed for annual parliaments and universal suffrage—that was, for the right of every man who had attained the age of 21 to vote. The noble lord moved that it should be brought up.

Mr. Chute stated, that the petition did not come from a county meeting, but from one called by gentlemen principally resident in London. He read the advertisement alluded to by the noble lord; it was circulated by the acting magistrates in the vicinity of Portsdown, and admonished those who disapproved of the meeting, or those actuated solely by curiosity, not to attend, while it recommended to the meeting peace and good order.

The petition was read, and ordered to lie on the table.

Lord Cochrane presented a petition from the Journeymen Tailors of London, setting forth, “That the petitioners have never, at any former period, interfered with political concerns, but for years past have, by uniting together for mutual sup-

port, borne up against all the difficulties with which they were surrounded, with unexampled patience; but, from the present unprecedented pressure of the times, their resources are totally exhausted, and are no longer able to meet the exigencies of the times, and nothing but starvation must be their fate, unless some means be devised to alleviate the general distress now existing; that the facility with which the nobility and gentry were enabled to reside in foreign countries, in order to avoid excessive taxation at home, is one of the many causes of the great privation the petitioners labour under; that the exorbitant taxation disables their employers to contract for foreign orders, as they can undersell us in every article in foreign markets; that the lapse of time having depopulated places possessing original franchise is a subject, the petitioners most humbly submit, merits the immediate attention of the House; and they also submit, that all who are the subject of direct taxation ought to be represented in the House, in order to consent to the formation and application of all taxes; that the cities of London and Westminster, and the county of Middlesex, are not represented commensurate with their population; and the petitioners pray, that the House will take into consideration the best and speediest means to restore to the people that reform in parliament, whereby the people may look with confidence for a redress of their insupportable grievances.” —The petition was ordered to lie on the table.

Lord Cochrane presented a petition from the people of Lymington, in the county of Southampton, setting forth, “That the petitioners, who have long beheld with the utmost sorrow the alarming state of the people of this kingdom, are now fully satisfied, that our existing and multiplied grievances have arisen from long protracted and unnecessary wars, in support of despotism, generally, but particularly, in the assistance afforded the faithless fanatical and perfidious House of Bourbon, the wasteful and extravagant expenditure of the people’s money, useless places, pensions, sinecures and establishments, particularly a standing army of one hundred and fifty thousand men in time of peace, all having their source and origin in the corrupt and degenerate state of the representation, whereby all salutary and constitutional control over ministers is lost, and parliaments instead of being a

control for, have become a control upon the people, as deaf to their complaints, they meet for little else than to lay additional burthens upon the people; that, as the only means of preventing a recurrence of the before-mentioned abuses, the petitioners humbly beseech the House immediately to adopt such measures as will ensure to every man, paying indirect as well as direct taxes, the right of voting for members of parliament, to be elected by ballot, and to limit all future parliaments to sit no longer than one year each, as the petitioners are fully convinced, by past experience, that without a legislature chosen by the great body of the people, and kept in check by the people, they can have no real or lasting security for either civil liberty, or the little property which the present rapacious system of finance has left in their possession."

Mr. *Lockhart* begged to have the passage in the petition, stating, that the House of Commons, instead of being a control for, had become a control on the people, read. He thought such language from petitioners highly disrespectful and objectionable.

Lord *Castlereagh* expressed his coincidence in the opinion of the disrespectful tenor of the petition, and contended that it ought not to be received.

Lord *A. Hamilton* thought, that as it was not intentionally disrespectful, and contained no direct or studied insult, it should be received.

The House then divided :

For receiving the Petition	43
Against it	72
Majority	—29

List of the Minority.

Bennet, hon. H. G.	Lamb, hon. W.
Babington, Thos.	Lambton, J. G.
Barnett, James	Langton, W. G.
Brougham, Henry	Latouche, Robt.
Burdett, sir F.	Macdonald, James
Colthurst, sir N.	Martin, John
Calcraft, John	Monck, sir C.
Curwen, J. C.	Morpeth, visc.
Duncannon, visc.	Moore, Peter
Fazakerley, N.	Methuen, Paul
Fergusson, sir R. C.	North, Dudley
Fitzgerald, rt. hon. M.	Ossulston, lord
Folkestone, visc.	Philips, George
Fremantle, Wm.	Ponsonby, rt. hon. G.
Grenfell, Pascoe	Ponsonby, hon. F. C.
Guise, sir Wm.	Ridley, sir M. W.
Hammersley, H.	Russell, lord J.
Heron, sir R.	Sharp, Richard
Howorth, H.	Sefton, earl of
Hurst, Robert	Smyth, J. H.

Tierney, rt. hon. G.

Webb, Edward

Wilkins, Walter

TELLERS.

Hamilton, lord A.

Cochrane, lord.

While strangers were excluded upon the above division, three members were found by the tellers in the passage behind the Speaker's chair, and were, according to the invariable practice in such cases, conducted into the House to vote. The Speaker repeated the question to them, and desired them to say, in succession upon which side they voted. Mr. Samuel Thornton was the first to whom the question was put. He answered instantly, without any hesitation, that he voted for rejecting the petition. A suspicion having arisen that he had not heard the petition read (the ground of rejection being the language in which it was couched), the Speaker was requested to ask him whether or not he had heard it? Mr. Thornton said, that he was an old member of parliament, and did not see what right any one had to ask him such a question; but the Speaker declared that it must be answered, and put it to him accordingly. Whereupon Mr. Thornton said, that he had not heard the petition read; it was then read to him, and he persisted in his vote for rejecting it. On our re-admission to the gallery we found

Lord *Cochrane* presenting a petition for reform from the township of Quick, and at the same time animadverting with much warmth on what he characterised as the scandalous conduct of an hon. member, who had voted against receiving the last petition without having heard a word of its contents [Loud cries of Hear, hear!]. If any one circumstance more than another furnished one of the strongest arguments for parliamentary reform, it was this—that an hon. member should go to the question, and divide against the petition, without having heard it. He trusted the House would hear again of no such lamentable example of disregard to the prayers of the people, and of neglect of the chief duties of a member of parliament, "otherwise, I hope," said the noble lord, addressing himself to the Speaker, "it will be marked and reprobated by you, Sir." [Loud shouts of Hear, hear!]. He should wish indeed to call for a vote of the House in reprobation of such conduct; and if he found the motion not contrary to the rules of the House, he should certainly endeavour to call forth their sentiments upon it.

Sir *F. Burdett* agreed with what had

fallen from the noble lord, respecting the conduct of the hon. director of the bank, who, without knowing one syllable of the petition, had at once decided against it. If any doubt were entertained by any member, he ought to have decided in favour of the sacred right of petition. Was that an equal representation of the people, in which, when a minister had once declared his wish, votes were given without hearing a single reason in its support? If, according to the old saying, that one may judge of the whole statue by one of its fingers, one were to take the hon. director as a specimen of this House, falsely denominating itself the Commons House of Parliament—

The *Speaker* spoke to order. It was unparliamentary to say that this House was not the Commons House of Parliament. Such language was not to be endured from any gentleman.

Sir *F. Burdett* resumed. Whether it was language which the House would or would not endure, he could not say: "but at any rate," addressing himself to the *Speaker*, "I may be permitted to add, that after what you yourself once said, as to what would be the feelings and language of our ancestors with regard to practices which had been proved to exist in the mode of procuring seats in that House—after a noble lord opposite had been himself detected in one most nefarious and disgraceful practice, that of bartering a public office for a seat in that House, we may surely be permitted to drop a little our pretensions to unsullied purity of character. Unless the people complain specifically of that abominable traffic in which the noble lord was detected, unless they may venture to complain in words as decent as the act itself was vile and indecent, I know not how the question of parliamentary reform can be brought under the consideration of the House or of the public. But now, it seems, the House were not to hear any thing like the truth; nothing but an adulatory sort of language was to be addressed to it; and if so, why was there not a new office created for the purpose of remodelling petitions, and clothing them in language that might render them acceptable to fastidious ears?" It appeared to him, from all he had lately observed, that great obstructions were thrown in the way of petitioning, both within and without those walls. He did not mean to dispute that magistrates were justified, when notice was given that a public meeting was about to

be held, in issuing warnings and taking all proper precautions against the occurrence of riot and mischief; but when in these warnings, such as that which had been read to the House that evening, they threw out calumnious statements against these meetings, as being scenes of riot and bloodshed, statements totally unwarranted by the fact, what was this but doing all they could to obstruct petitioning out of doors? [Hear, hear!] He would assert, that none of these meetings for petitioning had been attended with riot and bloodshed; that in one or two places where riots had occurred, there had been no petitions at all, and that in the metropolis, the rioters were not among the petitioners. In fact, nothing had tended more to keep the people in good humour and tranquillity, than the public exercise of this right of addressing the constituted authorities of the country; and nothing could tend more to turbulence and disaffection than to abridge its exercise by parliamentary enactments or any other obstructions. And here he could not avoid complaining of the solemn mockery and impiety of a prayer which had been ordered to be read in all the churches—a prayer by which all England was made to utter a falsehood in their most solemn approaches to the Deity [Hear, hear!] He could not believe that such a mockery could have received the sanction of the Prince Regent, without his royal ear having been mischievously pre-occupied by a party who pretended that they alone took an interest in his honour and welfare—a party who pretended that an outrageous and traitorous attack had been made on his royal person. [Cries of Hear, hear! from the Ministerial benches.] He would call it, indeed, an atrocious insult, rather than an outrageous attack; and he was confident, that had the Prince Regent been left to the magnanimous dictates of his own heart, it never would have been insinuated in a solemn address to the Deity, that the whole people of England were "seized with madness." Whatever might be the report of the secret committee, now so anxiously looked for from day to day, he should say, that there was a dissatisfaction prevailing in the minds of the people, founded on just and reasonable grounds, which, if not listened to and soothed by a corresponding disposition in parliament to reform abuses, would break forth into scenes of turbulence and bloodshed, such as the noble lord opposite had witnessed in a neighbouring country with

so much reported coolness, but such as the boldest heart in this country could not look forward to without horror and dismay [Hear, hear].

Mr. *Thornton* said, that on the question being put, he felt it his duty, from the manner in which many other petitions had been worded, and from the opinion he entertained of the hon. member's judgment with whom he had divided, to vote against the petition, particularly as he was not aware it was his privilege to have the petition again read, to form a judgment thereupon. But as to the reflection cast on his conduct by either the noble lord or the hon. baronet, he was altogether indifferent to their praise or censure.

Lord *Castlereagh* complained of the efforts just made to mislead the country as to the disposition of the House respecting the petitions of the people.

Lord *Cochrane* called the noble lord to order. He had no right to fix imputations of any kind on an individual within the walls of that House.

Lord *Castlereagh* was proceeding to explain that he was not out of order, when he was again called to order.

The *Speaker*. If the noble lord wishes to explain on what grounds he conceives that he is not out of order, he has a right to be heard out.

Lord *Castlereagh* then proceeded to show, that the petition, the reception of which he had opposed, attributed to the House an unconstitutional use of its functions, when he was a third time called to order.

The *Speaker*. The noble lord has been called to order by another noble lord. The noble lord must confine himself to answer that noble lord as to the point of order.

Lord *Castlereagh* then vindicated the right which he had to complain of the conduct of the hon. baronet, who would have conveyed a gross insult to the House himself, if the chair had not made him feel, in a dignified manner, the impropriety of his language. But this was not the first time that the hon. baronet had gone so far. He seemed to have come to atone for the sins which he had committed, by his non-appearance in another place, and by putting a studied insult upon the House, to redeem himself from the reproaches which had elsewhere been cast upon him. His attack was on the House, and not on so humble an individual as himself (lord C.) But the chair had made him feel the

gross impropriety of his conduct, and as far as he himself was personally concerned, he was perfectly satisfied.

Mr. *Fremanile* said, that he had voted for the reception of the last petition, because, though not approving of all its language, he did not conceive its general tenour to be more offensive than that of others which had passed without notice. But if he could suppose that such a vote involved him in any approbation of the opinions expressed by the hon. baronet, he should not have supported the petition. In opposition to the language of the hon. baronet, he did think that the general conduct of the House demanded the applause and not the reprobation of the people. He would venture to say, that there had been no general expression of opinion on the part of the people, which had not been listened to with due attention; and that therefore he acted properly in supporting, on every occasion, as far as lay in his power, the character of the House.

The petition was read, and ordered to lie on the table.

Mr. *Peter Moore* presented a petition from the city of Coventry, praying for a reform and a reduction of the public burthens. This petition had been agreed to at a very numerous meeting, at which the most perfect order and unanimity had prevailed. He regretted to state, that such had been the increase of the poor-rates in that town, and so severely was their pressure felt, that there was hardly a house in which a distress had not been levied for their collection.

Mr. *Butterworth* likewise bore testimony to the enormous and almost intolerable burthen of the poor rates in Coventry. He was happy, however, not to have witnessed any symptoms of discontent, and confidently looked forward notwithstanding its present depression, to the speedy revival of trade and manufacturing industry in that populous city.

Mr. *Lockhart* could not help availing himself of this opportunity to express his conviction, that unless that branch of taxation which immediately affected the necessities of life were greatly diminished, or funded property made, as it ought in justice to be made, equally contributory to the poor rates, they could not long continue to be paid. Their payment was, however, intimately connected with the whole system of public credit, and the stock-holder might be assured with the

due discharge of the interest of the national debt. There could not be a stronger example of the extreme pressure of the poor-rates than this complaint of their burthensome operations in the city of Coventry, one of the most richly endowed in the kingdom, and in which, there was a fund of 12,000*l.* per annum applicable to parochial relief. Unless something substantial was done, and the present system entirely altered, it was clear that we must proceed from bad to worse, and that the most alarming consequences would ensue.

The petition was read, and ordered to lie on the table.

PETITION FROM LEEDS RELATING TO THE USE OF MACHINERY.] Lord *Lascelles* said, he held in his hand a petition from a numerous body of people in Leeds, and the parts adjacent, who were cloth-dressers, and who complained that the introduction of machinery had thrown many of them out of employment. They prayed that some relief might be afforded them by the wisdom of parliament. He had explained to the petitioners themselves, that the question relative to machinery was a matter of deep consideration; nor did he flatter them that parliament could be able, considering the state of the woollen manufacture in other countries, to afford them any relief on this head. There was another prayer in the petition: these people entertained the impression, that if driven to emigrate to other countries, the existing laws threw obstructions in their way, as being manufacturers. The noble lord had told them, that considering the state of manufactures in other countries, neither could he give them much encouragement on this head: but at any rate their petition should be submitted to the consideration of parliament.

The Petition was then brought up and read, setting forth, "That the petitioners are employed in the dressing of woollen cloth, to which business they have served a long apprenticeship, and which heretofore enabled them to maintain themselves and their families, but which, in consequence of the extensive introduction of machinery into that department of the woollen trade, they are no longer able to do; they trust therefore for the indulgence of the House whilst they submit to their consideration the following facts; the petitioners beg leave to state, that, during the last session of parliament, they presented to the House, on behalf of themselves and their fellow

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workmen, a petition signed by 3,625 individuals, setting forth their grievances and praying for relief and redress, and they respectfully solicit the attention of the House to the allegations and prayer of that petition; it was stated in that petition that machinery for the dressing of woollen cloth had increased so rapidly within the last seven or eight years as to have produced very great distress among the persons employed in that department of the woollen manufacture, great numbers of them having been deprived of their accustomed employment and reduced to hopeless indigence and beggary; the petitioners have now to add to this statement the more specific information, that there was on the 17th of August 1816, totally out of employment 1,043 persons, in partial employment 1,380, in full employment 922; and on the 28th of October 1816 there were totally out of employment 1,166 persons, in partial employment 1,352, in full employment 860; and on the 3d day of February instant there were totally out of employment 1,170 persons, in partial employment 1,445, and in full employment 763, and the wages of those stated to be partially employed do not average more than from five to ten shillings a week; the petitioners also beg leave to state that it appears from the evidence taken before the House, that in the year 1806 there were only five gig mills, and not more than 100 pair of shears in the county of York wrought by machinery, but that the number of gig mills is now 72, and the number of shears is increased to 1,462, and that the consequence of this increase has been that great numbers of the petitioners and their fellow workmen have been reduced to absolute want; the petitioners also beg leave to submit to the House that they have a particular claim upon the attention of the legislature for protection and relief, inasmuch as they are prohibited by the laws from seeking employment in a foreign state; they would also submit to the House, that the pleas of necessity and expedience which have been pleaded in the behalf of the introduction of this species of machinery are unfounded, as there have always been a sufficient number of workmen to perform all the labour that was required: the petitioners also beg leave to state, that cloth is neither dressed better nor cheaper by machinery than by the old method of dressing it by the hand; on the contrary, the advantage in both these respects is decidedly in favour of dressing it by the hand, the large

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sums expended in the erection and in the maintenance of these establishments more than counterbalancing any saving in the price of dressing. In respect also to the manner in which the cloth is dressed, the petitioners confidently affirm that the cloth finished by machinery possesses no advantage whatever over the cloth dressed by hand; they are aware that it will be asserted that the unrestrained use of machinery is necessary to enable this country sufficiently to compete with foreigners: the petitioners in reply to this objection, beg leave to observe, that the universal adoption of gig mills and shearing frames would not in the least tend to lower the price of cloth, and would not be the means of causing a single additional piece of cloth to be sold either at home or in the foreign market; they would further observe, that though this species of machinery is thus impotent in promoting the prosperity of the woollen manufacture, it has been the fruitful source of much evil to the petitioners, and would, if carried further, be the means of depriving many thousands of persons of employment in the business to which they served a long and laborious apprenticeship, and indeed of all work whatever, as the present depressed state of trade precludes them from all chance of obtaining employment in any other business; the petitioners therefore hope, and humbly pray, that under these circumstances the House will be pleased to take their case into their immediate and serious consideration, and afford them such relief by restraining the use of this kind of machinery, or by such other means as may seem most meet to the wisdom of the House."

Mr. *Brougham* could not abstain from expressing his pleasure at seeing this petition brought forward so satisfactorily by the noble lord. This was the proper way in which the complaints of the people should be treated. In fact, all that had passed at public meetings showed that the people were still sound at heart; that they still looked up to that House as their constitutional safeguard, and the grand source from which they were to expect relief. With regard to the prayer of the present petition, it must be obvious, that to adopt any measures to check the use of machinery, was as impolitic as it would be impracticable; but it was surely very hard on the petitioners that any impediments should be thrown in their way so as to prevent them from bettering their situation by emigration, if they were so dis-

posed. This branch of the ancient policy of the country required the serious consideration of the House. Nothing could be more wicked than attempts to destroy machinery, such as the country had lately witnessed; yet at the same time the feeling which existed against machinery must be a ground of formidable alarm; for it showed that, instead of now being, as it lately was, a source of wealth, it was the cause of the most severe distress to a great body of the people, because the hands thrown out of work by the introduction of machines in one branch could not now find employment in other lines. This was a serious evil, well deserving the serious attention of parliament; but he should not dilate on it at present, because he should soon have occasion to bring the distressed state of the manufacturers under the consideration of the House. He might here be allowed to explain, that in the observations which fell from him last night, he did not mean to advert to any seizures of persons that had been made under the authority of the secret committee.

Lord *Castlereagh* entirely coincided with the hon. and learned gentlemen respecting the proper manner in which the petition just read had been drawn up. He wished the House to be assured he was as anxious as any individual could be to preserve the right of petitioning, as one of the most valuable blessings of the constitution, and he was confident, if the people were left to draw up their petitions themselves, they would do it in the best and most respectful manner. It was the means made use of to delude them by imposing on them manufactured petitions that excited his disapprobation and disgust. It was an insult to an Englishman, to suppose him incapable of stating his own grievances in a plain respectful manner.

The petition was ordered to lie on the table.

THE MARQUESS OF CAMDEN'S SINECURE.] General *Fergusson* said, that as all the petitions which had been presented to the House on the subject of reform prayed for an abolition of sinecures, he begged to ask if the report in circulation was true, which stated, that a noble marquess, one of the greatest sinecurists in the country, had, in consideration of the almost unanimous feeling of the nation, and the general distress, surrendered his sinecure?

Lord Castlereagh answered, that the report was well founded; that the marquess Camden had resigned all the emoluments and profits of the office he held, and only retained the regulated salary of 2,500*l*. [Cheering]. The noble marquess had been for some time desirous of making this sacrifice, but as his office was in the nature of a vested right, and as he did not know what effect this surrender might have on others in a similar situation, he delayed till the meeting of parliament. Seeing, however, the example of retrenchment and sacrifice set in the highest quarter, he no longer hesitated, and now offered all the emoluments of his appointment.

General Fergusson was exceedingly gratified with the intelligence now communicated to the House, and trusted in God that the example would be followed by others.

HOUSE OF LORDS.

Wednesday, February 12.

ECONOMY AND REFORM.] Earl Grosvenor said, that he had waited in vain to see the ministers in their places, and therefore could not any longer defer bringing before their lordships subjects of great importance at all times, but particularly so at the present moment. He alluded to the topics contained in the various petitions that had reached parliament of late, and which were generally to the same effect, except in one respect, that relating to the extent of the reform of parliament; he found it absolutely necessary to take up a little of their lordships time, in detailing the nature of the notices he was about to give, as they were materially blended with the topics of their petitions, and as he was anxious, if possible, not to be misunderstood or misrepresented; not that he cared about misrepresentation himself, he had lived too long in the world, had known too much of political matters, not to be aware, that the people would occasionally misrepresent, when they had a pressing interest in so doing; he must therefore, in all such cases, trust to his consciousness of his warm attachment to the genuine principles of the British constitution; but although indifferent to it himself, yet when he reflected that what he had to suggest was intimately connected with the best interests, prosperity, and happiness of the country, he could not but feel a due anxiety on the subject.

The petitions generally contained four points: retrenchment in the military, and also in the civil departments, the abolition of sinecures, and a reform in the representation in parliament. Their lordships might recollect, that he had called their attention to the former subjects in the course of the last session, and had endeavoured, without success, to persuade them that it would be more consonant to their dignity, to refer their consideration to a committee of their own, rather than to a committee of three gentlemen proposed by ministers, who were respectable certainly in themselves, but too closely connected with their politics, to be free from constitutional jealousy and suspicion on subjects, particularly of this description. From the conduct of ministers during last year, he certainly had not augured favourably of their economical intentions. When parliament met this year, he had hoped, as an earnest of their intentions really to please and satisfy the country, that their first act would have been the reduction of the office of the third secretary of state with all its train of expensive establishment; but that boon was denied the country. Then as to the first point in the petitions, the reduction of the army, how did that stand? Why, so far from any hopes being held out of that nature, it was stated by ministers on the first day of the session, that so far from seeing the necessity of any such reductions, from the appearance of disaffection, it might be necessary rather to increase than diminish that branch of our expenditure. However, in a few days, an alteration seemed to have taken place in the minds of the ministers; for a reduction had been suggested in another place to the amount of between 20 and 30,000 men. Whether this was a proper reduction or no, was a subject he would not now touch upon, but leave to be brought forward by those who had so ably and forcibly discussed it on a former occasion. But in regard to the alleged disaffection, he must say, he trusted and believed it would turn out to be very scanty indeed, and that the words of the Speech from the throne would be borne out, that the main body of the people of this country were perfectly sound and loyal.—In regard to the second point, that relating to the civil expenditure, from what he had heard on the subject, he thought he should have some proposal to make to their lordships in the course of the session; for, if he was rightly

informed, a committee had been appointed elsewhere to investigate that question, and of so little weight was it in the eyes of the public, that it was already denominated the humbug committee. If that were really the case, he could not expect much advantage from such a committee on a question so momentous to the happiness of a suffering but patient people, and therefore he should probably be obliged, in the discharge of his duty, to advance some of the questions under the cognizance of that committee, which questions he was informed might not be forwarded for three years to come, by the peculiar construction of that committee, and their lordships well knew that a dissolution of parliament would at once put an end to and frustrate the antecedent labours of such a committee.—As to the third point, however, the abolition of sinecures, he thought, with the view that he had long taken of that subject, at the present moment it was particularly necessary to lose no time in bringing that subject forward, and therefore he had no hesitation in fixing that day fortnight for the purpose of introducing a motion in the shape of a resolution, for abolishing sinecures, and the grant of places in reversion; and he trusted that he should do it in such a shape as even to reconcile it to those who had taken part against these abolitions. Perhaps even the noble and learned lord intended such; but of this he was certain, that, should he even stand alone on the subject, he should never regret bringing it forward.—On the fourth point, that of parliamentary reform, he would also explicitly state his opinion. He had always been led to think, that the last plan proposed to parliament by that distinguished character, who had rendered so much service to his country, the late Mr. Pitt, was one that might be adopted with great benefit to the country; and if a bill, containing a plan of that description should reach that House, it would have his support. With regard, however, to universal suffrage, he would not be so uncivil as to call it universal nonsense, but he would call it universal impracticability; and in regard to annual parliaments, which some thought most constitutional, he had never so read the constitution; he had always considered, indeed, the annual holding of parliaments necessary to the preservation of the constitution, but not an annual dissolution and re-election of them. But because he dif-

fered with others on that subject, was he therefore (as was well expressed by a noble person on a former evening, in a most eloquent and convincing speech) to wish to see those with whom he differed, imprisoned and gibbeted, hung, drawn, and quartered? Was he to wish to see a judge Jeffries, or one acting in the spirit and power of a judge Jeffries, placed on the bench, for the purpose of committing a legal murder on these people? For instance, should he wish to see major Cartwright, whom he understood to be a most respectable person, because he entertained such contrary sentiments, and endeavoured to propagate them through the country, should he wish to see his mouth closed, not by argument and fair discussion, but by the bloody hands of an executioner? The thought was shocking, monstrous, and diabolical.—In regard to triennial parliaments, however, he must fairly own, that since he had turned his thoughts of late more particularly to the subject, from the anxiety prevading all ranks of people on those topics, he had satisfied himself they were more constitutional than septennial ones; and, indeed, he must in truth say, that he considered the septennial act a direct infringement on the constitution, and a violation of the rights and liberties of the people. Indeed, he thought if justifiable at all, it could only be so from the danger of the times; or the danger of a disputed succession; and that as the danger passed away, it of necessity fell to the ground. The act repealed itself, and ought not to remain in the statute book. Therefore he would not shrink from declaring that it might possibly fall to his lot to introduce a motion on this subject, though it was more likely he would be anticipated by the introduction of it in the other House of parliament, to which those subjects more particularly belong. As the fortitude of the people had been great under their difficulties and privations and sufferings, so had their conduct in all places, where meetings for retrenchment and reform had been held, been most exemplary; and, indeed, it was remarkable and even surprising that it should have been so, considering the great numbers that have been assembled in various places, and the warmth that naturally arises in large bodies when assembled from various quarters to discuss matters, where grievances are felt. This was at least no symptom of disaffection, and he trusted from such patient

discussion much good would arise. The great anxiety he felt for the genuine purity and excellence of the British constitution, made him earnest in pressing these points on their lordships notice; and he sincerely hoped that the splendour of this bright political luminary, that had been partially dimmed by the mists of error and abuse, would be allowed, ere long, to re-assume its ancient dignity and glory. He had forgot to mention the report that had reached him, of the intention of a noble marquess, to renounce a large part of his sinecure. This renunciation might be very becoming, but he wished to get at the root of the evil, and therefore he proposed the motion he had suggested. This very renunciation showed the necessity of the proposal. His lordship concluded by moving that the Lords be summoned for that day fortnight.

The *Lord Chancellor* briefly observed, that as the motion was the only thing which fell from the noble earl that evening that was not irregular, he should not oppose it.

The Lords were ordered to be summoned accordingly.

HOUSE OF COMMONS.

Wednesday, February 12.

AUDIT OF PUBLIC ACCOUNTS.] Mr. Lushington having laid on the table an account of all warrants or other communications from the treasury to the auditors of public accounts during the three years, ending 1st January 1817, transferring the audit of any accounts from the said auditors to any other boards,

Mr. *Huskisson* thought himself called upon to make a few observations with the intent of removing an imputation on his character which the present papers would sufficiently clear. He was not present when they were moved for, but he felt obliged to the hon. and learned gentleman who had done so, for the opportunity which he had thus given him of correcting a misstatement or misrepresentation that had gone abroad through the usual channels, affecting deeply his character. In that statement it was mentioned, that 50,000*l.* had been issued to him by order of the treasury, as agent for a colony; that no account had been required of him how that money was expended; that the treasury, out of favour to him, had issued a warrant to the general audit office, not to intermeddle in auditing his accounts,

but to transfer them to the treasury. It insinuated a charge of gross corruption on the part of the treasury, first to favour and then to shelter him. These accusations were brought forward in another place, which might be supposed to be free from such misrepresentations, and by a person (lord St. John) whose character gave weight to his expressions. The accounts on the table would show how grossly unfounded such charges were. In the first place, no money was issued to him to the amount, or in the manner alleged; secondly, no warrant was given to transfer the audit of his accounts, nor had he ever solicited or expected a favour in passing any of his accounts. What could be the motive for spreading such an injurious and unfounded report? What was the object of the persons who deceived the noble lord, by imposing upon him such a story? Whether it was private malice or party purposes that was intended to be served, he could not pretend to say; but he thought, that the gross misrepresentation which had thus been propagated ought to operate as a caution against bringing forward imputations on character without some previous inquiry into the grounds on which they rested. He was as little disposed as any man to enter on any thing that concerned himself personally, but he could not let the present opportunity slip without correcting a mistake in which perhaps the motion for the papers originated. He begged pardon of the House for detaining it so long with a personal matter, and thanked it for the patience with which he was heard, as well as the hon. and learned gentleman, for giving him an opportunity of clearing himself from an unfounded charge.

Mr. *Brougham* declared, that in moving for the papers, he acted under no conviction of the truth of the charge which the right hon. gentleman had answered, nor did he impute to him any thing of the kind stated. He knew at the time he made the motion, that the charge was unfounded, and proceeded on a misconception. He therefore did not ground his desire of information on a belief of it, nor had he made any allusion to the right hon. gentleman. His object was different. At a late period of the session, two years ago; at a period when the House was generally thin, when there was no great desire to canvass proposed measures, when no important business was expected, and when, for that very reason, the most important

business, was often transacted; he knew that an office for auditing colonial accounts was formed, and such accounts were to be transferred from the general audit-office of public accounts, at Somerset-house to this new board. A chairman and three members were appointed to this board, at a time when an expensive establishment, that cost the country 60,000*l.*, existed for a purpose of the same kind. The duties of the audit-office of Somerset-house were important indeed, and expedition was of the greatest consequence. The multiplicity of their business was made the ground for this new establishment; and though he always was averse to the creation of new offices, if expedition was attained, his objections would be diminished. His motion for papers, therefore, was directed to the object of gaining information as to what the new board had done; how it was proceeding; what relief it afforded to the office of Somerset-house: or, in short, what we had gained on this additional establishment towards the dispatch of public business. He was uncertain what use he should make of the information he thus gained; whether he should found any proceeding upon it or not. He had in 1812 occasion to inform himself on the mode of transacting business between the audit-office and the treasury; and if an hon. friend of his did not take up the subject, he himself might bring it this session under the review of the House.

Mr. *Lushington* took the opportunity of stating, that when he was asked about the number of officers in the colonial audit department, and if the place of the president was filled up, he was not quite correct in his answer, when he said it was not filled up, as he had since understood that it was.

Mr. *Brougham* then asked, if the president, on whom the most important duties devolved, did not go out to Malta to examine one account, and whether he had not there died?

Mr. *Lushington* replied, that he had died at Malta, and he believed had gone out to audit one account.

Mr. *Brougham*. Then the House and the country are to understand that this office is a sinecure, and that government has filled up a sinecure.

PETITIONS RELATING TO REFORM &c]. Lord *Milton* presented a petition from Dewsbury, in Yorkshire, praying for retrenchment and reform. The noble

lord, in presenting it, observed, that it was honourably distinguished, both by the temper it manifested and the manner in which it was drawn up, from many of those to which the House had lately listened. It proceeded from people who felt what they expressed, who followed their own sentiments in their application to parliament, and did not frame their distresses or their remedies after models transmitted them from London. It prayed that there might be a reformation in the Commons House of Parliament, and that the representation of the people might be fuller and more extensive than it was, and this was the only part of the petition in which he could not heartily concur. In all that portion of it which called for economy and retrenchment it had his unqualified approbation, and should have his strenuous support. He was reminded while he was on this subject of what was communicated to the House last night, concerning the conduct of a noble marquis in surrendering his great emoluments—a conduct which he would characterise as no less honourable to himself, than he was sure it would be beneficial to the country. By giving up his enormous sinecure, he had conferred a benefit far beyond the value of the sum itself. He had done much to redeem the character of public men from the aspersions so industriously attempted to be thrown upon them. He trusted that the example of the noble marquess would be generally followed, that the public irritation would thereby be allayed, and that such sacrifices would erase from the minds of the people those baneful impressions against public men which it was the object of the wicked and the designing to create.

Lord *Lascelles* concurred with his noble colleague in the account given of the petition and the petitioners. He held in his hand a letter stating the circumstances in which it was voted. It had not been handed about for signatures, but, with the exception of one individual, had been signed on the spot. The petitioners stated, that they knew the sentiments of the county members on the subject of parliamentary reform, but they nevertheless had such confidence in them that they would intrust them with their petition. The petition he described as most respectable in its character, and respectful to the House. Besides other grievances it complained of the burthen of poor-rates.

Lord *Castlereagh* begged to say a few

words regarding that part of the noble lord's speech, in which he had alluded to the conduct of a noble marquess in surrendering the emoluments of his sinecure. The conduct of that noble marquess was truly honourable, and deserved all the praise which it had called forth. As he had stated last night, the noble marquess had wished, for some time, for an opportunity of resigning, and had seized the first that occurred in which he could do so without appearing to be driven by clamour to surrender an undoubted right—a vested interest, which parliament had regarded as inviolate, and with which it never had claimed a power of interfering. This was the only remaining office in which there was a vested interest of great public importance, which, in consequence of its nature and tenure, had not undergone regulation. There was another, indeed,—the office of registrar of the admiralty—which had excited much public observation, and concerning which there were many mistakes; but it must be evident to every reflecting person, that since the cessation of war, the emoluments of that office were extremely diminished, if not annihilated, and might not exceed a regulated salary. The noble marquis had therefore, by his conduct, given up the last of those offices which, from their nature, the legislature abstained from regulating, and had thus closed for ever that list of places, and the imputations against those who held them. It was given to his father for great public services, and professional sacrifices; it was respected in every plan of reform or regulation; and it stood on a principle which parliament refused to touch. The noble marquess was pleased to surrender its emoluments from his own spontaneous movement, when he saw that his motives could not be misinterpreted, that he should sanction no objectionable principle, and that in making a sacrifice he should only be following the example of the highest quarter.

Mr. Brougham professed himself greatly disappointed at what had just fallen from the noble lord opposite. Whether it would be so felt by the House, or by the well-provided body of sinecurists for whose immediate consolation it was addressed, he would not undertake to determine. In common with others, he had felt the greatest satisfaction at the communication which had been made last night; but he did expect, that an example so nobly and manfully opened by his

royal highness the Prince Regent, and so properly adopted by the noble marquess, would have extended to the lower departments of official emolument, and that the concession would not alone consist of the sacrifice of one enormous office (which, being now no more, he would not insult its memory), but would be followed up by other sinecurists, whose emoluments, though not so great, were equally censurable. These hopes, so fondly excited, were now too early damped. It looked as if the noble lord had got at once alarmed, lest the example should contagiously spread; lest, in the first place, the whole list of sinecurists, should quit the field; and, secondly, lest the alarm should discomfit the regular supporters of ministers, who looked forward for something comfortable, and aspired to the honour of being members of that political family in which there was great pay and no work. If such apprehensions existed among these worthy personages, the speech just delivered by the noble lord was well calculated to calm their anxiety. He, however, had heard it with great regret, from a full conviction that the only effectual cure for existing evils, was a fair and proper concession in this respect to the just demands of the people. He regretted that so good an opportunity was lost as the example of the Prince Regent presented of allaying popular irritation, and convincing the people of the virtue of public men.

The petition was ordered to lie on the table.

Lord Cochrane rose to present a petition, most numerous signed by the inhabitants of Glasgow, praying for economy in the public expenditure, and reform in parliament. The petition had been sent to him accompanied with a letter, which contained an interesting account of the present distresses of that district, and to which the attention of the House would, he trusted, be directed. It appeared from that letter, that such were the distresses of the middle and lower classes of the community, that they were not able to support their children at school, and in consequence of this, two Lancasterian school-rooms, erected at a considerable expense, were now actually advertised for sale. The same was the wretched state of the other schools, parents finding it utterly impossible to pay for their children's education. When the desire of every Scotsman to have his children educated was known, the distress of that country might easily be imagined

from what he had now stated. The petition stating the grievances of the inhabitants, was expressed in the most respectful and moderate manner, earnestly requesting the House to listen to the piteous detail which their sufferings compelled them to give, and to put an end to unnecessary sinecures, and to grant a more equitable representation in parliament. The House, it was well known, was composed of too many placemen and sinecurists, and he confessed he was at a loss to know with what right these sinecurists imposed burthens on the people. They did not impose those burthens on themselves, for they drew much more from the public purse than they paid for taxes. They had therefore no right whatever to impose burthens on others, in which they took no share. He was sorry to hear what was stated by the noble secretary of state last night, respecting the motives which had induced a noble marquis to delay resigning his sinecure. It seemed the noble marquis had waited till an example was shown him, and had therefore followed the example of his Royal Highness. But he was at a loss to know what relation existed between the holder of a sinecure and the head of government. The latter, in consequence of his high situation, had a right to what he received, and any thing he chose to resign was a boon on his part to the people; but the former had not the most distant claim or title to what he enjoyed. He believed, however, the noble marquess had resigned it purely from what had passed at public meetings, and from what he had thence collected to be the general feeling of the country. Had he, however, done what he had now done, only a little sooner, he was sure that his example would have had as much authority out of doors, as that of the Speaker had within doors. He would not at present trespass further on the time of the House, but would only add that the petition he now held in his hand was most respectably signed, and that it could not be said the signatures attached to it were those of illiterate persons. Every man who knew Glasgow, knew how well the people were educated there. He would further observe, that he had now lying near him, twenty petitions expressed in different terms, but all containing one common sentiment. They prayed for annual parliaments, which certainly were preferable to those triennial ones so much extolled by some. Certainly triennial parliaments

would have this advantage, that the seats then to be held would be purchased for half their price, and would be held for half the time; but were annual parliaments to be held, there would be no example of votes being given, as was the case last night, nor would members be called down from a coffee-house, as he was told was repeatedly done. Never did the House or the public witness a more flagrant instance of this shameful practice than last night. He concluded by moving that the petition be brought up.

Mr. *Wilberforce* said, he was extremely anxious to say a few words after what had just fallen from the noble lord. He thought it was but proper, when the sinecure of marquess Camden was talked of, that the consideration on which that sinecure was given, should be attended to. No doubt whatever could exist, that rewards were necessary to be given to those who had held offices; as for example, he would say, that such an office as that of lord chancellor deserved to be rewarded. That office was certainly one of a most laborious nature, and was given to an individual whose eminent talents and practice at the bar had justly entitled him to public confidence. Such a man necessarily made many sacrifices of private interest when he was called to fill this high situation: which, be it remembered, was extremely different in its nature and tenure from the office of a judge, being partly connected with politics, and at all events an office only held during pleasure. Now, such an office, with such an uncertainty attending the time it might be held, certainly entitled the person who held it to some remuneration from the public, in consideration not only of the exertions he made, and the services he had rendered to the public, but also of the great sacrifices he had made on entering the office. The late lord Camden, it was well known, had held the office of lord high chancellor, and surely he might say, that never was there any man more justly esteemed for his indefatigable zeal in the public service, for the prudence and activity with which he discharged all his public and private duties, as well as for his eminent legal attainments. None could be more revered than he was for excellency of character, and integrity of heart and life. He had in the early part of his life been honoured with the kind attentions of that amiable and much lamented nobleman, and could not avoid giving this humble

tribute of affection to his memory. He had held that office but a very short time, and on his resigning it, had this appointment of 2,700*l.* given him for one life, which as he was then far advanced in years, he had taken for his son. The noble lord who presented this petition had surely had repeated opportunities of knowing that the provision now very properly made by parliament for lord chancellors, was 4,000*l.*, which was 1,300*l.* more than was given to lord Camden. An opportunity was lately afforded him of knowing this in the generous and disinterested offer of his worthy right hon. friend (Mr. Ponsonby) to resign a part of the 4,000*l.* which he had as a reward for what he had done. And here he begged to say, that never on any occasion had he defended sinecures, on the contrary, the House knew that he had even voted for an inquiry into the emoluments of the sinecure held by the noble marquess, though perhaps against his own (Mr. W.'s) feelings. In speaking of sinecures, he thought no obloquy whatever could be justly thrown on those to whom such sinecures had been given as a reward for public services, nor could they, with any justice, be called to give them up. Parliament, he was sure, would never withdraw such proper rewards. He greatly rejoiced, however, at the noble example which his royal highness the Prince Regent had set, and which, he trusted, would be followed in every department; and he could not help differing from his worthy friend (Mr. Brougham), who had rather fallen into the language of despondency. It was surely not reasonable to say that because only one star had risen above the horizon, we should not see more. He had no doubt the noble example would be followed, and he thought it had not as yet been followed, merely because those holding sinecures had not had time and opportunity given them to follow it. He anticipated their soon coming forward, and gladly hailed the pleasing prospect which would thereby be afforded to the country.

Mr. Brougham would only say one word, after what had been stated by his hon. and truly respected friend. He had certainly been much cheered by what his hon. friend had advanced, and confessed a ray of light had now dawned on the gloomy horizon. He was rejoiced to be delivered from that state of despondency into which the speech of the noble secretary of state had thrown him, and which, he was confident, had produced similar effects on many
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who heard it. He trusted the pleasing prospect his hon. friend had held out would be happily realized, and he was confident it would give much satisfaction to the country. No man could hesitate a moment in saying that any pecuniary compensation was inadequate, in every point of view, to the eminent services, splendid talents, and uncommon exertions of the late truly patriotic lord Camden. For such services as his no salary, no reward, could be too great. Yet, between his case and those who held other sinecures, there necessarily existed a strong distinction. This was the well earned tribute of gratitude which this country had assigned him. Theirs was only the fruits of court favour, to which they had no claim on account of their own exertions; and surely if the descendant of the man who had earned it so nobly, now so generously sacrificed it for the public service, the reflection must strike those very strongly who persevere in holding sinecures to which they have not one shadow of title.

The petition was ordered to lie on the table.

GAME LAWS.] Sir Samuel Romilly rose, in pursuance of previous notice, to move for the repeal of an act which had been only seven months in existence, which had been hurried through the House at a very late period of the last session, amidst a multiplicity of other public bills, had been read a third time at one o'clock in the morning, then sent up to the Lords, where it equally passed without any remark, and finally received the royal assent at the very close of the session. It was an act of the most unjustifiable severity, upon the merits of which the deliberate sense of the House ought at least to have passed; though he believed that the great majority of the House did not even so much as know of its existence. The act to which he referred was on the subject of the game laws; and it put the illegal destruction of game on the same footing as any felony, by rendering the offence liable to the penalty of transportation for seven years. Nay, it did still more; for it made not merely the act, but the mere attempt to kill game by night, in an enclosed place, a felony, rendering the offender liable to transportation for seven years. The bill enacted, that if any person be found in an enclosed place by night, not merely with a gun, but with a net, or any other engine
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for killing game, he shall be liable to the above penalty, at the discretion of the magistrates met at the quarter sessions. The game laws had been uniformly complained of as a code unusually severe; but such an act as this, he believed, was without example in the laws of any other country. He was quite sensible of the habits of idleness and profligacy which poaching created; but such an attempt as this to repress it was in fact defeating its own object: for the question recurred, whether it was just or politic to adopt such severe laws, which tended to drive to desperation the violent and lawless character of the poacher, who might be induced to repel force by force, when he knew it was a matter of indifference whether he had a gun, or merely a net, or some other engine for the destruction of game. He did not deny that acts of atrocity in the pursuit of poaching had been more frequent of late years than formerly; but the question was, whether a bill, which changed the whole policy of the game laws, was the most effectual mode of putting them down. Here the learned gentleman read the preamble of the bill, which recited, that many idle and disorderly persons had of late gone abroad, and had been trained up by habits of poaching to felonies, and even to murders. It then proceeded to enact, that any person found by night in an enclosed place, with a gun, or merely a net, or other engine for the destruction of hares, rabbits, or any other game, should be liable to transportation for seven years. Now, had it merely created a severe punishment for the offence, he should not have objected to it; but when he found it clothed with such extraordinary severity, he would ask, whether the preamble was not a mere pretence, and had not the offenders better go armed, for by doing so they would not incur a higher penalty? It was not his intention to represent the game laws in an odious point of view: but he must remind the House, that there was this obvious distinction between them and other penal laws; namely, that the latter were made for the protection of the poor as well as the rich; but this was not so with the game laws, which ought not to be clothed with such extraordinary severity. Let us next see, said the learned gentleman, how the act defined the period of night. Now the night of these wise legislators extended from eight at night till seven o'clock in the morning, from the month of October

to the month of March. He had heard much of the omnipotence of parliament, but he never understood that it could change day into night; though every gentleman must be aware, that the sun was up three quarters before seven in the month of October, and, therefore, three quarters of an hour before these legislators still pronounced it night. This definition rendered almost every qualified man in the country liable to the operation of the act; for, as the sportsman was generally an early riser, if found in any enclosed place for game before seven o'clock, he became liable to transportation. It was also to be considered, that this discretionary power of infliction was left to the country magistrates, a body of men whom he highly respected, but who, considering their personal feelings on matters of this kind, ought not to be trusted with discretionary powers which were too large to be intrusted even to the judges of the land. It was, in the clearest sense, improper at any time to give any judge too much power, and he certainly lamented that penal laws should exist which were not intended to be put into execution. He hoped he should have the good fortune, in the future discussions on this proposed bill of his, not to be charged, as he had been formerly, with any wish to innovate on the penal statutes, and he trusted he should not (indeed he could not) be charged with attacking what had been sanctioned by the wisdom of our ancestors. This was the wisdom merely of seven months. When he recollected the period at which the act was introduced into the House, and the late hour at which the discussion had come on, when many of the members were fatigued, he was not surprised at the little attention paid to it, because he knew how exhausted, at that hour members were from the immense pressure of business. But he was more than astonished at the quiet manner in which it had passed in another House, when he recollected the scrupulous anxiety that that House had always shown, to prevent any innovation on the penal laws. He remembered an act of Elizabeth, dooming to the gallows such soldiers and sailors as were found begging in the streets without a pass from their officers, had attracted the notice of judge Blackstone, who thought it was worthy of being repealed. He (sir Samuel) viewing it in the same light, had introduced a bill, in which he had happily suc-

ceeded in this House and in the other also, excepting one alteration made in his preamble to the act. He had said, "Whereas it was highly expedient to repeal an act, &c." the Lords expunged the word "highly," as, though they thought it expedient to repeal an act for hanging soldiers and sailors, they did not consider it "highly" expedient. He was astonished they had not been equally attentive in this case, especially respecting the palpable error of including broad day-light in the term night. The wisdom of that House had always been exerted to prevent innovations on the penal laws, and he was sure there never was a more flagrant innovation, at least in point of sincerity, than this was. He concluded by moving for leave to bring in a bill to repeal the said act, at the same time wishing it to be understood, that there were provisions in that act which it would still be proper to retain in any other act the House thought proper to adopt.

Mr. *Frankland Lewis*, as one of the committee that had brought in the act in question, thought it necessary to say, that at the time when it was introduced it was his opinion, that the severity of the game laws should be relaxed on the one hand, while it was increased on the other, and that game should be put on the same footing with other private property. And for the purpose of subjecting the invaders and destroyers of this species of property to the same punishment as those of any other kind, he thought it necessary, to give to magistrates the power, in certain cases, of sentencing offenders to transportation. The punishments imposed by former acts had been found quite ineffectual; and he had therefore, upon the whole view of the case, thought the act in question the best, under all the difficulties with which the evil which it went to remedy was surrounded. But he was not insensible to its defects, and therefore should not oppose the motion.

Colonel *Wood* confessed that the committee with which this bill had originated had begun, in his opinion, at the wrong end, when they suggested the enactment of new penalties. His own disposition had been in favour of taking into the consideration of the committee the whole system of the game laws, with a view of introducing some more general and efficient measure. When he suggested the propriety of legalizing the sale of game as a means of discouraging poaching, he had

been told that it was already notoriously bought and sold, as every thing else was in London. He knew well that there was a regular supply in the market, but his object was to take away the illegality of that supply. The committee, however, came to a resolution declaratory of the principle, that game ought to be made the private property of those on whose land it was taken. Whatever might be the justness of that proposition, it was undeniable, that under the present system game was brought to London from every manor and every preserve in the kingdom, and through so many hands, poachers, mail-coach guards, servants, correspondents, and poulterers, as greatly to enhance the price to the consumer. He decidedly approved of the sale of game being legalized, and thought some measure of that kind should be adopted. He remembered an old act, by which a person found at night after game was liable to be sent twelve months as a rogue and vagabond to the House of Correction, or to the army and navy for life. Every one knew the story of the soldier who was brought from Germany in a state of sleep, whence he could not be roused. He was taken into York Hospital, and, in consequence of the humane attention of colonel Christie, recovered. Having had an opportunity of conversing with this man, he found that he had originally been apprehended in Gloucestershire, under Mr. Joddrell's act, and sent for six months to the House of Correction, whence he was transferred to the Royal York Rangers. The affliction which he felt in consequence of being torn from his wife and family, brought on his singular disorder. He was restored however to his senses, and the Prince Regent, with that humanity for which he was so conspicuous, gave him a free pardon, and sent him home to his wife and family. Let the purchasers of game in this great metropolis reflect on this occurrence, and pause before they gratified their own palates at the risk of endangering some poor man's happiness. As long as such purchases went on, it would be a hopeless endeavour by any legal enactments to stop the practice of poaching. As that was the case, therefore, he trusted parliament would consent to legalize the sale of game. He had been told last session, that such an act would encourage poaching. He did not believe it. It had been said, that the power to apprehend those who had game

in their possession, was at present one of the most effectual means of preventing poaching. He did not believe, however, that such apprehensions were frequent. If they were, how could the drivers of stage coaches ever escape, in whose possession game might almost always be found? Still, if it were so, he thought a greater public benefit would arise from giving up a chance now and then of catching a poacher, than from retaining the law as it now stood. He was also desirous that a provision should be made, to enable the lords of manors to grant deputations to the occupiers of such manors. That, and legalizing the sale of game, would obtain all the objects that appeared to him to be desirable. The public at large would obtain a supply of game, and the poacher would be cut off from his illicit practices. If the House agreed with him in opinion on the subject, he should have great pleasure in bringing in a bill to the effect which he had described.

Sir E. Knatchbull had no objection to the proposed repeal, provided some other measure were to be substituted for it. He hoped he should live to see game made private property; but at a time when arms were carried at night by persons in combination, and with an avowed resolution of opposing those who should attempt to defend their master's rights, some strong measure was absolutely necessary.

Mr. Ponsonby observed, that his hon. and learned friend's object was merely to repeal what appeared to him to be objectionable. That would not prevent the introduction of another bill by any gentleman who might think proper to bring it in; and, in his opinion, some law to protect the persons described by the hon. baronet who had last spoken, was highly desirable.

Mr. Banks thought that a motion for leave to bring in a bill to amend and not to repeal the present act, would be the preferable mode of proceeding. He was very desirous of suggesting this to the consideration of the hon. and learned gentleman, but as he was not now in the House, he would move to adjourn the debate on the subject until Friday next.

Mr. Curwen could not concur in the proposition for adjourning the debate; conceiving, as he did, that the whole system of the game laws was unjust and tyrannical. To make the punishment for poaching a moderate one, and to enable

qualified individuals to sell game would be the only way to put an end to those violent practices on the part of the poachers, which could not be characterised in terms of too strong reprobation. At present no purchaser of game weighed the distressing consequences to which his conduct might lead. He repeated that the whole system of the game laws required revision. By the present law, the unqualified person who sold game was liable to punishment, but not the unqualified person who purchased it. Could any thing be more unjust? And where, he would ask, was the principle of allowing the possessor of land to the amount of 100*l.* a year a qualification, and denying it to the possessor of land to the amount of only 99*l.* a year? He had once been a sportsman himself, and he therefore knew the value of game to a country gentleman: but he was not the less persuaded of the absolute necessity of a change in the character of the laws by which it was at present protected. There was no moral turpitude attached to the offence against them, and it was therefore impossible to induce the lower orders to believe that in committing that offence they were guilty of any crime.

Mr. George Banks begged leave to assure the House, that in bringing forward the proposition last session he had used every effort to obviate the objections that were made to it. With this view, he had asked the advice of a number of legal friends; and, among the rest of his hon. and learned friend, whose absence from the House and the country, in consequence of ill-health, he was sure he was not singular in regretting, he meant the member for St. Mawes (Mr. Horner). Not satisfied with this, he had even presumed to introduce himself to the acquaintance of the hon. baronet opposite, and to put into his hands the draught of the bill, precisely as it now stood; and he certainly conceived, from the remarks of the hon. baronet, that it met with his approbation. There could be no doubt on the mind of any man, that some legislative provision of a similar nature was indispensable to the protection of those who would otherwise incur the greatest risks in the discharge of their duty.

Sir M. W. Ridley observed, that the only legitimate end of punishment was the prevention of crime. The act in question had not this effect, because, from the severity of its provisions, it was only in cases of a very aggravated nature that indivi-

duals could be induced to press its execution. He highly approved of the recommendations which had been thrown out on this subject by his hon. friend to legalize the sale of game, and to enable lords of manors to grant deputations. These regulations would make game cheaper, and thus render the employment of poaching less lucrative and tempting. He thought that the farming of licences would be a good mode of preventing poaching; as the person by whom they were farmed would be interested in the detection of poachers. It was well known, that individuals had been sentenced to transportation under this act, simply for having guns in their possession at night. Now certainly great care should be taken to show, that there was a premeditated intention to use those guns in resistance against individuals who were employed in the protection of game. What was in many cases the operation of the existing law? To induce individuals who were aware that the very act of carrying a gun at night would render them liable to transportation, to commit violence for the purpose of avoiding apprehension. By whom, too, was the law at present put in force? He by no means meant to cast any imputation on the gentlemen acting as magistrates in the country, for whom, on the contrary, he entertained great respect; but certainly they were more interested on the subject than he wished them to be. He most cordially supported the motion for the repeal of the act.

Mr. Lockhart expressed his anxiety to see the act very considerably amended. That could not effectively be done by any interpolations; but would best be accomplished by a repeal of the act, in the bill declaring which repeal there might be a clause severely to punish poachers for such proceedings as led to felony and murder. As to making game property, he should always oppose any attempt at a measure so visionary and impracticable. Where a large and continued extent of ground was possessed by one lord of the manor, it might be done: but where, as in most cases, a manor was interspersed with small freeholds, the only consequence of it would be to heget a system of trespass and ill neighbourhood in every parish, as well as eventually to cause the total destruction of the game itself—a circumstance that would be extremely injurious to the community, as the amusement of sporting frequently induced gentlemen to reside on their own estates rather than in large cities.

He had observed in France the evils resulting from an abandonment of the sports of the field by the gentlemen of the country, who had, in many instances, substituted for them amusements of a description very unfavourable both to their fortune and to their character. He should be sorry to see English gentlemen driven to make such an exchange; and he should also much regret to see them deprived of the means of showing civility and attention to their neighbours, who did not enjoy privileges similar to their own. He allowed that the game laws were anomalous; but he denied that they were unjust. Their general tendency was to attach country gentlemen to their homes, and to preserve those links that bound them to their tenants and to the poor.

Mr. Wilberforce was of opinion that the existing law was unjust and severe. It subjected individuals to a severe penalty for an act, which it was contrary to the natural feeling of mankind to say was in itself a crime; and which men could be never brought to think a crime, merely because there were legislative provisions against it. He agreed with the hon. and learned mover, that that House ought to be very tender on this subject, interested as many members were upon it. Means might surely be adopted for preserving that which was unquestionably a suitable amusement for the gentlemen of the country, without such laws as those now existing. He strongly objected to game being put on the footing of other property. It was not, as in other cases where the insecurity of property rendered it necessary to pass very severe laws for its protection. To steal cloth from the tenter hooks of a bleach-field was a serious crime, with which to deprive an individual of his amusement could not be put on a level. The House were bound not to go beyond the strict limits which the case required. He could not help thinking that the preservation of game might be effected without so many invidious enactments. If game were criminally obtained, it must be criminal to allow it to be openly sold. If the selling were unlawful, the purchasing must be unlawful also. But it was not right to make up in severity for a defect of power, in cases of mere amusement; that was a principle which ought ever to be confined to crimes and offences of a high magnitude. No doubt, however, if it were enacted that licences might be granted, no person in a liberal situation of life would purchase in

future, except from those who were legally authorized to sell.

Colonel *Wood*, in consequence of what had been thrown out, gave notice of his intention to move for leave to bring in a bill, empowering magistrates to grant retail licences, for the sale of game. This power of selling game had, indeed, never been entirely taken away before the 28th of Geo. 2d. He had understood from some of the largest proprietors of game in the kingdom, that they would undertake to supply the public with game, and to undersell the poacher.

Mr. *Huskinson* declared, that he could not see the connexion between the preamble of the act in question, which lamented the existence of illegal combinations of armed persons going out by night to commit acts of violence, and the provisions in the act to transport an individual who might snare a hare, or shoot a partridge. The punishments denounced in the act were not at all expedient for the protection of game, but were highly expedient for the protection of the gamekeepers, whose lives would otherwise be constantly placed in the greatest jeopardy. It was highly desirable that the present act should be repealed; but if parliament should repeal it, and make no provision for the protection of the persons whom he had described, they would, in his opinion, not do their duty.

The amendment was put and negatived. On the original motion being put,

Sir *E. Knatchbull* made some observations on the propriety of coupling the repeal with some other measure in lieu of the act repealed.

Sir *S. Romilly* said, he had no objection if any gentleman, better acquainted with the subject, should take it up, and bring in a bill providing other remedies in lieu of those in the act proposed to be repealed.

Mr. *Ponsonby* said, the most unexceptionable course would be, first to repeal the existing act, and then to bring in a bill providing the necessary remedies.

Sir *Egerton Brydges* conceived some measure in lieu of the one proposed to be repealed as absolutely necessary.

Leave was then given to bring in a bill to repeal the said act.

hand a petition from Compton, in Lancashire, in which the petitioners used strong language in deploring their miseries; but they only prayed to be relieved from the pressure of their burthens, in such way as the House in its wisdom might think fit, yet adding their opinion that parliamentary reform would be the only effectual remedy. He had several others from the same quarter, and begged to state the general tendency of them all. The petitioners were of opinion that they were not duly represented, and that they could not be so without annual parliaments and universal suffrage as far as related to every male having a vote. The noble lord said he should take that opportunity of declaring that he never would give his approbation to any such wild and absurd theories, which were totally incompatible with any just system of representation. All he begged leave to do was, therefore, to present the petitions.—Leave was given, and they were accordingly presented and read. They were from Compton, Failsworth, Hollinwood, and Great and Little Bolton.

SAVING BANKS BILL.] Mr. *Rose* brought in a bill for the better protection and encouragement of provident Institutions or Banks for Savings. It was read a first time, and on the question that it be read a second time to-morrow, the right hon. gentleman said, that the bill which he now brought in was precisely the same as that which was entertained last session, and went through that House, although it did not pass into an act. The objection raised against this bill was, that it was unnecessary, because it had not been solicited by those whom it was intended to protect; but the House would see, on a little reflection, that it was not very likely that application would be made to parliament by persons in that condition of life, the improvement of which was contemplated by this measure. Both the principle and the detail of such an institution were beyond the common ideas of persons engaged in daily and manual labour. In the year 1795, it would be recollected, that a bill passed both Houses of Parliament on the subject of Friendly Societies; at that time no application for relief or assistance was made by the parties immediately interested, though it must be remembered that the measure which then passed into a law was of the very highest benefit to the lower orders of society. Nor had

HOUSE OF COMMONS.

Thursday, February 13.

PETITIONS RELATING TO REFORM, &c.] Lord *Stanley* said, he held in his

he any doubt, that if a law of similar spirit were passed with respect to saving-banks, similar and even greater results would follow. Not only would there arise from this parliamentary interference a protection and security for the poor man's savings, but what was better, habits of industry, honesty, and sobriety, would be encouraged and matured among the lower orders, and one leading evil of inferior life would be checked, if not prevented—he meant the contracting of early and improvident marriages. The two points on which a difference of opinion prevailed last session, were first, the mode of depositing the money in the public funds; and secondly, whether a person who had placed a certain sum in one of these banks should still be deemed a fit object for parochial assistance. He was unwilling to leave out these clauses in the first instance; but if any difference of opinion respecting them still prevailed, it might be discussed when the bill should go into a committee, where all alterations as to the operative details of the bill would be best made.

Sir *John Newport* expressed a wish that Ireland, in the purview of the proposed bill, should be disjoined from England. All the clauses relative to the poor rates could have no application to Ireland, while there were many points necessary for that part of the kingdom that would not apply here. Under these circumstances, friendly as he was to the principle, he wished to be understood, as giving notice of his intention to move for leave to bring in a Bill for the protection of Provident Institutions in Ireland.

Mr. *Calcraft* observed, that he still retained his objections to the proposed Bill. He therefore expressed a hope that the second reading would be postponed until the week after next. The House would recollect that the most obnoxious clause, that respecting paupers, had in the last session been disapproved, but that in a subsequent stage, the right hon. gentleman with his friends contrived to get it reinserted.

Lord *Milton* could not acquiesce in the conclusion drawn by the right hon. gentleman, respecting the diminution of the poor's-rate by the bill. In his judgment, its immediate operation would go to place on those rates persons otherwise not entitled.

The Bill was ordered to be read a second time to-morrow.

PETITION OF MR. LYON, RESPECTING THE WARRINGTON PETITION RELATING TO REFORM, &c.] Mr. *Boottle Wilbraham* presented a petition from Thomas Lyon the younger, residing at Warrington. It contained a justification of the conduct of those who had been charged by an hon. and learned member, the other night [see p. 211] with forcibly seizing a petition which had been agreed to be presented to the House of Commons praying for parliamentary reform, and in his opinion it was a complete answer to the accusation. Too much stress had been laid upon the fact of Thomas Lyon, the present petitioner, being the nephew of a magistrate. The petition, it would be observed on reading it, showed that the uncle of this young man had been attacked with a paralytic stroke, and for a considerable time past had been unable to execute the active duties of his office.

Mr. *Brougham* said, that with respect to the stress said to be laid upon the circumstance of the young man being the nephew of a magistrate, he wished to remind the House that this was not the point particularly remarked upon: but the circumstance which had astonished him was, that this young man had taken the petition to the house of a magistrate, at which house it was demanded in vain. He was aware that Mr. T. Lyon the elder was afflicted with a lamentable distemper, but the House would do him the justice to remember, that he had expressly delayed to take any steps upon the subject until time should have been allowed for an answer to the accusation. A petition to this effect had now been presented; and it remained for the House to judge, whether it was or was not a sufficient reply to the charge which had been brought against him.

The Petition was then read, setting forth:

“That the petitioner hath learnt with great surprise that a petition hath been presented to the House, in which the names of the petitioner and of his relation Thomas Lyon the elder, esq., have been introduced as connected with a recent violation of the liberty of the subject in the town of Warrington, by the removal of a certain petition for parliamentary reform from the possession of the petitioning body, and as the object of those petitioners, although not positively expressed, appears to be to insinuate to the House, and the country at large, that the removal of the

petition above mentioned took place under the direction and with the knowledge of the petitioner and of the said Thomas Lyon the elder, he humbly begs leave to lay before the House the true circumstances of the case, in order to repel the base, unfounded, and malevolent attack which has thus been made upon the characters of himself and his relation by the persons who have given so false a representation to the House; true it is that the petitioner had heard, for a few days previous to the 22d of January last, that a petition for parliamentary reform had been handed secretly about the town for signatures by some obscure individuals; and that, by various arts and false representations, many persons, including very young boys at school, had been induced to sign the same, but he indignantly disclaims for himself and his relation all communication or knowledge whatever, either direct or indirect, with any of the parties concerned in the offence complained of, except as hereafter detailed; about seven o'clock in the evening of Wednesday the 22d of January last, the petitioner was engaged in writing a letter in one of the parlours of his relation's dwelling-house in Warrington aforesaid, when a hue and cry was raised in the street adjacent; as the petitioner had a few weeks before been inrolled and sworn a special constable for the town, he thought it his duty to hasten to the spot whence the alarm proceeded, and taking his staff of office, he immediately left the room and ran out of the house; not many yards from the door, he saw several persons standing in the street, and, upon the petitioner's going up to them, he found that two of his neighbours, Edward Coates, of Warrington aforesaid, grocer, and Daniel Pollett, of the same place, pawnbroker, had got in their custody the person against whom the cry had been raised, that he knew the man to be Richard Burrows, a person of extremely good character, to the petitioner's knowledge, for many years past, and the petitioner expressed himself in terms of great concern that he (Burrows) should be apprehended under such circumstances, and took him into the house of the said Edward Coates for safe custody, and for the purpose of inquiring into the cause of his being pursued, which the said Richard Burrows, being almost breathless from his attempt to escape had been unable to inform him of; that soon after, going into Mr. Coates's house, the said Richard

Burrows acknowledged that he had, by way of joke, carried off the petition for parliamentary reform which had been handing about for signatures, and that he produced two rolls of parchment from his pocket, and delivered them to the petitioner; that the petitioner was at a loss how to demean himself towards the said Richard Burrows on this discovery, but believing, from his previous knowledge of the man, that he had no intention to act criminally, and that he would be forthcoming to answer the charge when inquired into in a legitimate manner, he ventured to permit Burrows to go at large, on his undertaking to appear whenever the parties interested might call upon him to answer for his conduct; that the petitioner did certainly receive the petition into his custody, and he admits that a letter, signed by one Roger Gaskell, was left at his relation's dwelling-house, requiring him to deliver up the petition to him, but that, being advised that he was not the competent authority by whom the petitioner could be called upon, and being afterwards requested by divers persons who had inadvertently signed the said petition to erase their names thereout, he did not comply with either of the requests, but kept the same, in the expectation that the matter would undergo a proper investigation before a magistrate, or other competent tribunal, to whom he has always been ready and desirous of delivering up the same; that the connecting the name of his relation with the petitioner's share in this transaction (as if he had at all interfered therewith) can only be attributed to the vile and malevolent minds of the petitioners, when the House is informed that it is notorious to them, and the town at large, that for more than ten months past Mr. Thomas Lyon the elder has been labouring under severe bodily infirmity, which has prevented his attending to any business whatever during that period; that, in adopting the above line of conduct, the petitioner had no conception whatever that he should incur the displeasure of the House as committing a breach of its privileges, for which he hath always felt the highest veneration and respect, being conscious that he was actuated by no other motive than a strict sense of what he considered to be his duty as a special constable, and he confidently trusts that the House will dismiss from their minds the aspersions which have been malignantly cast on himself and his venerable relation,

against the latter of whom the breath of calumny hath never before been raised, during a course of more than thirty years service as a magistrate and protector of the public peace of the country."

On the motion, that the petition do lie on the table,

Mr. *Brougham* said, he thought that the attack which had been made by the petitioner upon those who in the mildest way had brought forward the accusation was entirely unjustifiable. He trusted the House would observe the great nicety of the petitioner's conscience, who had been afraid to give the petition back to its right owners, though they had made a formal demand of it. The petitioner must have been well aware that the petition which he withheld was property of that description, that unless it were given back immediately, it would be of very little value to its former possessors. He left it to the judgment of the House, whether the conduct of the hon. members who brought the complaint before the House, deserved the epithets contained in the petition, of "base, malevolent, unfounded, and false."

Lord *Stanley*, not having been present when this subject was brought before the House the other evening, wished to say a few words upon it. He had thought it his duty to inquire into the circumstances of the transaction, and the character of the gentleman who had been implicated in it; and it was but due to that gentleman to state, that every thing which he had heard of his character was highly honourable to him. Whether or not, in the present instance, he had acted with propriety, he was rather inclined to doubt. Certainly he had had nothing to do with the transaction until he heard the cry of "stop thief!" He then ran into the street, and seeing in custody a person whom he knew to be a perfectly honest and industrious man, he took him into the house, when the man immediately told him what had happened, and gave the petition into his hands. So far all was right; but he did not think Mr. *Lyon* justified in withholding the petition from those from whom it had been taken, and retaining it in his possession. As those persons had followed the party into the room, it would appear that the natural course for Mr. *Lyon* to have taken was to return the petition to them immediately. This, however, he omitted to do. He concurred with his hon. and learned friend, that the petition became of no value unless re-

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turned at the moment. Looking, therefore, at all the circumstances of the case, he certainly thought the conduct of this gentleman had been injudicious and improper. He would not apply to it any stronger terms of disapprobation, because he was persuaded that it arose solely from an error of judgment.

Mr. *W. Bootle* allowed that Mr. *Lyon* had not exercised a sound judgment in the affair, but denied that any other imputation whatever could rest upon him.

Mr. *Wynn* censured Mr. *Lyon's* conduct as injudicious and improper. What was the duty of a constable under such circumstances? Had he considered the act a theft, he ought to have taken the thief and the property before a magistrate. Had he considered it a joke, he ought to have returned the property to its owners. The petitioner, however, did not say a single word of having returned, or of intending to return to the owners the petition which had been carried off. In fact, the very tone of his address to the House was censurable, for it was not a tone of contrition, as it ought to have been, but of justification exclusively.

Sir *F. Burdett* asked, whether or not the petition which had been run away with, had been given back to the owners?

Mr. *W. Bootle* replied, that he knew nothing further of the business than was comprehended in the statement made by the petitioner. The object of the petition was to show that he had no intention to deprive any of his majesty's subjects of any part of their privileges.

Sir *C. Monck* observed, that there appeared to be a determination on the part of the petitioner to continue that detention which, whether a joke or otherwise, was, in the first instance, an unwarrantable act.

The petition was ordered to lie on the table.

COURT OF KING'S BENCH.] Mr. *Casberd* rose, in consequence of his notice, to move for leave to bring in a bill to facilitate the progress of business in the court of King's-bench, in Westminster-hall. The present means of transacting the particular business to which his motion referred, were wholly insufficient. Redress of the evil could be obtained only by adopting one of two courses: either by an internal arrangement in the court itself, or by a different distribution of the business. The sort of business transacted in the court

might be considered in one of two points of view: either as formal, or as substantial. *A priori*, it would appear, that the formal business ought to be made to yield to the substantial. The reverse, however, happened to be the case. The putting in and justification of bail, as a matter of necessity, must precede every other business. The hon. and learned gentleman here explained the way in which this took place. The accumulation however of this business delayed, he said, the other proceedings of the court. Without going out of his way to bestow a panegyric on the learned judges of that court, for their anxiety to do all in their power to facilitate the business of the court, he would say, that they had done every thing they could to remedy this particular evil. They had allotted a period out of the vacation, in order to bring up the arrears of the preceding term. This, however, proved an inadequate and an inconvenient proceeding. Inconvenient, as it required the attendance of persons who at that time were wanted elsewhere; inadequate, as no judgment could be given until the ensuing term. Some more efficient remedy was therefore desirable; and that which he wished to propose, appeared to him to be both simple and unobjectionable. He proposed that it should be made competent to one of the judges of that court to sit apart for the purpose of receiving justification of bail: and that during the interval in which he was so engaged, it should be competent to the other judges of the court to sit *in banco*, and proceed as usual. At present, it was true, that one judge sat in the court to receive justification of bail, but he was considered by the law as the representative of the whole court; and although the other three judges came down to Westminster-hall, they remained during that period in their own room in inactivity and suspense. He was not one of those who thought that the legislature ought to be called on to interfere on trifling occasions. But this was a serious evil. It was one too which was rapidly increasing. In the last twenty years, the justifications of bail had increased threefold in number. In 1795, they were only 700; in the last year they amounted to between two and three thousand; and were any alteration to be made in the insolvent act, that number would in all probability be still further augmented. It was therefore a serious and a permanent evil; loudly calling for a legislative re-

medy. If he were asked, if the plan which he had just suggested was the best that in his opinion he could suggest, he was free to admit that he should reply in the negative. Were it not for a consideration which he would presently mention, he would have taken the liberty of recommending, that a power should be vested in the court either to set one of the judges apart in the way he had described, or to appoint a commissioner to receive justifications of bail in the place in which the judges now sat. To this, however, he was aware that an objection would lie. A commissioner so appointed must of course have a salary; and as the expense of that salary must mediately or immediately be defrayed by taxation, it might be said that the present were not times in which it would be wise to increase the public burthens. He might be asked, why he confined his proposition to the court of King's-bench, and why he did not extend it to the courts of Common Pleas and Exchequer. To this he would answer, that he wished clearly to see his way in any measure that he ventured to propose to the House. With the practice of the court of King's-bench experience had rendered him familiar. He knew that the evil there was grievous, and required immediate remedy. Of the practice in the courts of Common Pleas and Exchequer he did not profess to know so much; but he did not believe that the evil was so severely felt, especially in the latter court. If, however, it should appear advisable, it would be very easy to include those courts in the provisions of any act which parliament might think proper to pass on the subject. The hon. and learned gentleman concluded by moving, "That leave be given to bring in a bill, to facilitate the progress of business in the court of King's-bench, in Westminster-hall."

Mr. Lockhart allowed the magnitude of the evil which had been described by the hon. and learned gentleman. He doubted, however, whether it was advisable to make the decisions of the court of King's-bench legal, when only three of the judges were sitting. Our ancestors had felt the importance and value of ordaining that there should be four judges in every one of the three courts of law. The hon. and learned gentleman, however, proposed to ratify, by a legislative provision, the absence of one judge. Cases, however, might frequently arise, in which the presence of four judges would be of great consequence

to the liberty and property of the subject. At present, when two of the judges disagreed with the other two, no judgment was given. There might be cases of great importance, in which, by the proposition of the hon. and learned gentleman, the decision would be thrown into the hands of two of the judges, when it would be extremely desirable that it should remain in those of the whole four. In his opinion, therefore, the appointment of a commissioner would be the preferable mode of remedying the evil; and the expense of such an appointment could not by any means be weighed in the scale with the benefits that would be derived from leaving all the four judges on the bench.

Leave was given to bring in the bill.

HOUSE OF COMMONS.

Friday, February 14.

[IRISH SAVING BANKS BILL.] Sir *John Newport* rose for the purpose of moving for leave to bring in a bill to extend the protection of parliament to the establishment of provident institutions for saving in Ireland. The House had already assented to the general principle of such establishments, by sanctioning, in the last session, a proposition of a right hon. gentleman for their encouragement in Great Britain; it therefore only remained for him to show why a separate bill should be passed for Ireland, to secure the sanction of the House to the present measure. A law of this nature for England must necessarily be encumbered with many provisions and clauses of detail, in consequence of the very complicated system of poor-laws existing in this country, all of which would be unnecessary in Ireland, and it would be attended with great confusion, to distinguish in the same bill what parts of it should operate in the one country, and what in the other; he was therefore anxious that such an encumbrance of detail should not endanger the advantages that Ireland was likely to derive from the enactment of such a measure. He stated that there existed a law on the Irish Statute Book, preventing bankers from paying interest for money lodged in their hands. This restriction should be taken off, as far as the money of these saving institutions was concerned. For the purpose also of affording every possible means of security to the depositors in the saving institutions, it was intended to provide in

this bill, that in case a banker, in whose hands the deposits may be lodged, should become bankrupt, the trustees of the provident institutions should have a paramount claim before all the other creditors on the property of the bankrupt, to the whole amount of the deposits. There was one point of considerable difficulty in the detail of the measure, created by the fluctuation in the public funds, which might seriously affect those persons whose deposits were lodged in them. In consequence of that, the bankers, to save themselves, allowed interest less by one per cent. than the legal interest; but he suggested to the hon. gentlemen connected with the finance department, the necessity of adopting some new principle of funds, destined solely for the money deposited in the provident institutions, which might be negotiable in the way of exchequer bills. The right hon. baronet then stated the result of the establishment of a saving bank in Waterford, where, in the course of six months, the sum of 2,390*l.* was deposited by about three hundred persons. Out of this sum there had been paid 560*l.* leaving still a considerable amount in the bank, for which the depositors received interest. He had been in the office of the institution one day, when a man came in with five or six children. He deposited in the names of these, one, two, or three shillings each; and this man stated, that, since the establishment of the bank, he had regularly deposited some trifling sums in the name of each his children, and he felt confident that had such an institution been established earlier in the country, he might by that time have realised a considerable amount which had been dissipated, in consequence of there being no place for securing it. The right hon. baronet concluded by moving, "That leave be given to bring in a bill, for the protection and encouragement of provident institutions, or Banks for Savings in Ireland."

—Leave was given.

PETITIONS RELATING TO REFORM, &c.] Lord *Cochrane* presented a petition from *Dumbarton*, complaining of the magnitude of taxation, the extravagant military establishments, and praying for a radical reform in the representation of the people. The noble lord took the opportunity of suggesting, that equal facility should be allowed to the transmission by the post of the petitions of the people as were to the communications of that most

benevolent committee at the London Tavern. It was a severe tax on a member of that House, solicitous to lay the prayers of the people before parliament, to be obliged to defray the great expense of postage from his own pocket.

Mr. C. Grant, jun. in answer to what had fallen from the noble lord, begged to say, that on a former session he had received petitions, to be laid before that House, for the postage of which he had paid three or four pounds, but which was subsequently returned on the application of the petitioners.

The *Speaker* believed that such petitions must have had reference to a measure actually before the House, and not simply in contemplation.

Mr. Brougham observed, that the hardship required some consideration. He had himself received at various times petitions and other papers, transmitted to him as a member of parliament, for which he had paid on some occasions as much as five and six pounds, and which was never returned.

The *Speaker*—I find that there is a clause in an act of parliament, passed two years since, and where I should never have thought of looking for it, the act relating to East India shipping, by which ship-letters and other communications to members of parliament, of a weight not exceeding six ounces, pass free of postage.

The petition was ordered to lie on the table.

Mr. Brougham said, that he held in his hand a petition from the inhabitants of Aldgate, in the city of London. The petitioners set forth that the grievances of which they complain have sprung from the present administration of the country, and that the distresses now so generally afflicting every class of his majesty's subjects are to that source mainly attributable. They allege that these calamities could never have assumed so aggravated a character, but from the gross neglect of that House in checking the ruinous expense of the executive government. They pray that the system of exorbitant expenditure may be speedily diminished, and as a more permanent remedy, they call upon that House to correct its corruption. They state no specific plan of parliamentary reform, but require that the people should obtain their just rights, and fair weight in the constitution of parliament. There existed but one opinion throughout the country, in

attributing the great pressure of taxation to the long and ruinous war in which it had been engaged. At the proper time, when the subject of reform should be fully before the House, he would take the opportunity of giving his sentiments with that deliberation and coolness, which that most important question demanded. Many incidental conversations had already taken place in that House, arising out of the petitions for reform, but he might truly say, that there was but one opinion within those walls upon the absurd and impracticable doctrine of universal suffrage. What was felt here was equally expressed by all the enlightened, rational, and even moderately informed persons in the kingdom. Again and again he would ask, in what period of British history had this right been ever exercised? Where existed the authority either constitutional or legal, that has ever represented such a claim as a matter of right? How far the elective right might be extended; what the duration of parliament ought to be, would become more properly the subject of discussion, when the specific proposition should be submitted to the House. But he must repeat, that if there was one man in that House inclined to sanction by his support, the wild, delusive, and he must believe, not honest propositions, circulated with such perverse industry out of doors, it was his duty to come forward and avow himself. If there was any such opinion in the House, the member who held it, owed it to the cause of reform, and to the best interests of the people, to have the proposition canvassed; its absurdity exposed, and the delusion for ever dispelled from the public mind [Hear, hear!].

The petition was then brought up and read. On the motion for laying it on the table,

Mr. Lamb declared, that although he differed entirely in opinion from the great mass of the petitioners who had lately approached that House—though he was persuaded that they attributed their grievances to a wrong cause—though he was convinced that they looked for benefit to that which would only aggravate the evils they endured,—yet, seeing that these sentiments were so generally entertained, and knowing that the petitioners were suffering the severest pressure, he would not take advantage of any inaccuracy or indiscretion in the language of the petitions, but understand them in the most fair and liberal construction; and dismissing from his

mind all prejudices on the subject, give to the whole of it as full, as anxious, and as dispassionate an attention as could be bestowed upon it by the most sincere friend of the objects which the petitioners had in view.

Lord *Cochrane*, in answer to those who maintained that universal suffrage was an impracticable proposition, observed, that in many of the petitions the means were pointed out, namely by taking the lists already prepared for the calling out of the militia whenever it might be required. Whenever the subject came to be discussed, he should take as his guide the wisdom of the people, who would not be influenced in their judgment as members of that House were. The people judged coolly [a laugh, and Hear, hear!]. He repeated it—the people judged coolly; and he sincerely believed that their opinions on every point were the best criterion of justice. He was very sorry that that House in its decisions too frequently differed from the opinions of the people. Whether it would be proper to confine the suffrage to householders, or to extend it to all males of twenty-one years of age, was a fair subject of discussion; but no member had a right to impute delusion to so large a body of the people, as that by which the latter proposition was maintained. He apprehended that the delusion proceeded from a different quarter, and was generated by different views. With respect to a change in the duration of parliaments, he was of opinion that the only effect of making parliaments triennial, would be to diminish the price at which seats were sold. In his opinion, parliaments ought to be annual, and all householders ought to have the elective franchise. Without these two things there would be no safety for the people. The members of that House would again be thrown into the hands of ministers, and be again made the objects of that shameful traffic, of the existence of which, but too full proof had been afforded. He would not delay the House any longer, but as an hon. and learned gentleman had cast imputations so serious on so large a mass of individuals, stating, that they were deluded and misled, he had felt it his duty to say thus much. He confessed, that he felt it difficult to conceive the frame of mind which could enable a member of that House to stand up, and, on his single opinion, or on that of a small circle of his friends, dare to throw out such imputations on so large a body of the people,

of whom he could not by possibility have any knowledge.

Mr. *Warre* said, he could not refrain from observing that a pretty striking proof of the wisdom and coolness of the people was exhibited in the way in which the Hampshire petition had been got up, that was presented to the House by the noble lord on Tuesday. The noble lord was certainly an admirable channel for such petitioners. He appeared in that House every night like a busy trader, with his commodities under his arm. Not satisfied with that, he must hurry down into the country, watch petitions as they came into existence, and then return and serve them up hot and hot to parliament. The noble lord said that the Hampshire petition was signed by 20,000 persons. It had however been read, approved, and signed, all in an hour. So much for the coolness of the people! So much for the admirable example which they afforded to parliament! He was decidedly of opinion that the doors of that House ought to be widely thrown open to petitions, and that the language in which they were couched ought not to be hypercritically censured; but the dignity of the House required that they should at least be in a strain such as might be tolerated; for the House ought never to forget that the maintenance of proper respect for themselves was a duty which they owed to the people at large, whose constitutional representatives they were, until it was proved otherwise. In none of the petitions was to be found any clause of exemption in favour of any individual. The whole House was denounced as corrupt, and yet it was a curious fact, that the very members who had thought proper to avow their own corruption, were the persons chosen by the people as the channels through which to express their wish for reform! The noble lord had made a gratuitous avowal that to the bellman of Honiton that House was originally indebted for the accession of his talents. Another hon. member, who had been selected for the purpose of presenting a petition for reform, was a very innocent and unsuspecting individual, who had acknowledged his participation in the practices which that petition so strongly reprobated. That hon. member declared, that he was one of six persons who had the right of presentation to a borough; and though he drew in the same train, like one of six gray horses in the lord mayor's coach, he was a mere sleeping partner, and received none

of the money which was given for the borough, but was himself sold.

Sir. M. W. Ridley, as a professed friend to rational and deliberate reform, protested against the doctrine maintained that evening by the noble lord—doctrine calculated to plunge the people into the utmost ruin and distress. Nothing could be so contrary to the best interests and to the happiness of the people, as the notion of annual parliaments. Was it to be imagined that with annual parliaments the common affairs of the state could be duly canvassed, and the measures which it might be proper to adopt carried into effect? It was so absurd and visionary a project that he would not waste the time of the House by saying a single word further on the subject; but having heard the speech of the noble lord that night, he could not refrain from embracing the earliest opportunity of entering his determined protest against opinions so mischievous.

Mr. Wynn remarked, that the noble lord had asked how any hon. member could dare to set up his opinion against that of the great body of the people. When he saw what was alleged in the numerous petitions which had been presented to that House on the subject of reform—when he saw in them statements, of the falsehood of which he was persuaded that the persons by whom the petitions had been framed were perfectly aware—it was impossible not to feel and to declare that the people had been most grossly deluded. When it was stated that annual parliaments and universal suffrage were the birth-right of the people, who but must know that such a statement had originated in the most shameful delusion? The noble lord, as a kind of apology for this misrepresentation, had said, that before the elective franchise was limited to freeholders of forty shillings a year, there must have been some other description of suffrage, and that that suffrage might have been universal. To him (Mr. Wynn) it appeared more likely, that instead of a universal, it had been a very limited suffrage, confined to freeholders, who, it was well known before the subdivision of large districts, were comparatively few in number. Then there was the assertion in the petitions, that the abominable parliament (as it was termed) of 1694 had extended the duration of parliaments to three years. He did not believe there was a child in the country, capable of reading the history of England by way of question and answer, who

did not know, that before that period, the duration of parliaments was unlimited, and that the parliament of 1694, instead of extending the duration of parliaments to three years, actually limited it to three years! But it was impossible to go through the various delusions, which, with unblushing front, were promulgated by these persons as incontrovertible truths. It was not surprising that such propositions going forth uncontradicted should have made a deep impression on the minds of the great body of the people; the more especially, as they issued from one manufactory in the metropolis; and were declared to involve in their consideration the only mode of redressing the grievances which the people endured. There was only one other point on which he would at present touch, to afford an additional proof of the character of the individuals by whom these petitions had been drawn up. It was asserted in them, that if the people had been fairly represented in parliament, the late war would not have taken place. He would not say any thing now on the policy or impolicy of the war itself; but this he would say, that if any great measure of state was ever demanded by the general voice of the people of this country, it was that war. The circumstance did not bear at all upon the argument that might be raised on the policy of that particular war; for it was a well-known fact, that at the commencement of any war the universal voice of the people was in its favour, however tired they might become of it in its progress. The assertion, therefore, that the late war would not have occurred had the people been properly represented in parliament, afforded an admirable specimen of the justice and fairness of these gentlemen.

Mr. Brougham spoke to the following effect:—Sir, after the very pointed manner in which my conduct has been alluded to by the noble lord, who has, in a very peculiar way, held up to public reprobation any hon. gentleman here who “dares” (for that was the word) put his opinion on any subject of great national interest in competition with the opinion of fifteen thousand, or of fifteen hundred thousand people out of doors, and who not only does that, but who slanders the people of England by intimating that they labour under a gross delusion, and by accusing their leaders of dishonest practices; I think the House will pardon me if I trouble it with a few words in my own

justification [Hear, hear!]. I will say nothing of the possible consequences to the person so pointed out by the noble lord. Nor will I impute any motives to the noble lord; for it would not be parliamentary so to do. Sir, I speak in the hearing of many gentlemen who have done me the honour to attend to my conduct in parliament, both recently, and when I had a seat in this House four or five years ago; and I think they will agree in allowing that there are few, if any individuals here, who have ever shown on all occasions a more determined resistance to any attempts, even of the faintest description, to oppress the people of this country [Hear, hear!]. I have in all cases gone as far as it was possible for me to go to assist in opening the door of this House to their complaints; and I have done all that I could—and not less than the noble lord—to discountenance, as far as my little influence would allow me, any proposition which appeared to me to be calculated to impede, cramp, and hamper the exercise of popular rights [Hear, hear!]. I therefore put myself on my country, in competition with the noble lord, as to which of us has shown himself to be the greater friend of the people of England. But, Sir, I will not show my friendship for the people, by telling them falsehoods. I will not be a party in practising delusion on the people [Hear, hear!]. I will not take advantage of the warmth of popular meetings, a great proportion of the individuals constituting which are necessarily ignorant of the nicer points of history, and antiquity, to induce the people to sign such petitions as those which have lately been presented to this House [Hear, hear!]. Sir, I do not blame the large body of the people who have appeared before us as petitioners, for the language in which they have expressed themselves; but I blame them, or rather I blame the fabricators of the petitions, by whom they have been palmed upon the people, for having the assurance to declare that universal suffrage was a right for which our ancestors shed their blood [Hear, hear!]. Sir, I would not be a party in telling the people (monstrous assertion!) that twelve hundred years ago this country enjoyed a free and perfect constitution. Gracious God! Twelve hundred years ago! Sir, we have heard of histories of England by various individuals and of various descriptions, but in what history of England is to be found, not only a trace of this country's having

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enjoyed a free and perfect constitution 1,200 years ago, but a trace of its having enjoyed any constitution at all at that period? [Hear, hear!]. What do we know of the state of this country, in that respect, in the year 618! Why, Sir, we know little or nothing of the constitution of England half as many centuries back; and what can we possibly know of its constitution two hundred years before the different kingdoms of the Saxon Heptarchy were united under one monarch [Hear, hear!]? This, Sir, is a specimen of the historical knowledge, of the antiquarian research, of the acquaintance with constitutional law, of these wise-acres out of doors, who, after poring for days and nights, and brooding over their wild and mischievous schemes, rise up with their little nostrums and big blunders to amend the British constitution [laughter and loud cheers]! And then, Sir, we are pronounced ignorant and daring, who refuse to subscribe to the creed of these true reformers, who know accurately what happened in this country 500 years before authenticated history begins! [Hear!] and we are told that he who will not believe the self-evident propositions of these gentlemen, which it is said are so reasonable as not to admit of the least controversy, are dishonest as well as ignorant and daring. Sir, the noble lord says, I accused the people of England. I did not accuse the people of England. I accused those persons who deluded, or rather attempted to delude (for I am persuaded the experiment will fail in the main), the people of England, and in making that allusion, I referred to the monstrous absurdities contained in most of the petitions for reform, which have been recently presented to this House. I beg, however, to be distinctly understood. I do not think these delusions will spread far. The people of England have not, in my opinion, exhibited any symptom of participating in them. It is true, they have presented hundreds of petitions to this House. I believe above a million of people have declared to this House some opinion or other on the question of reform. These persons have been collected together at meetings, to which they flocked simply because they felt severe distress. They knew not from the false prophets and bad teachers who got among them, but from their own experience, and from the nature of their sufferings, that they in a great measure originated in the mal-administration of public affairs. So knowing,

and so feeling, they naturally vented their complaints in the petitions with which the table of this House groans, into which petitions many statements and propositions have evidently been thrust, to which the actual petitioners themselves were no parties whatever [Hear, hear, hear!]. There is one conclusion, Sir, which we ought to draw from all these considerations; namely, that severe distress is the real cause of this popular agitation; and that as far as the people call upon us for great retrenchments and some reform, the call is well-founded, and must be heard. I heartily hope that it may be heard before it is too late, and that the people may by that means be taken and kept out of the hands of those who would betray them into misery a hundred fold greater than that which they at present endure [Hear, hear!].

Lord *Cochrane* adverting to the comments made by the hon. and learned gentleman on the petitions which had been sent down from the metropolis for the adoption of the people, said, that knowing, as he did, the honourable character of the individual in whom these petitions originated, he was sure that no attempt would ever be made, on that individual's part to deceive the people. There was not a worthier man existing than the gentleman to whom he alluded, major Cartwright, and he was perfectly certain that the sentiments which that gentleman expressed were sincere, and came from the bottom of his soul. With respect to himself, he should never resent personal allusions of any kind made to him in that House. They would fall as a blunt arrow, or as the stone which was thrown the other day, but never found. But this, in justice to himself, he would say, that he was not in habits of intimacy with any man base enough to entertain a desire to overthrow any part of our establishments. As to the petitions which he had presented, he felt it his duty to receive any person who might choose to call upon him on parliamentary business, and if a petition, couched in proper terms, were put into his hands, he felt it his duty to present it to that House, without, however, considering that he was in any way responsible for the opinions which the petition might contain. The universal voice of the people cried for reform. He trusted that the House would not set up their opinion against that of the whole country besides. He should most sincerely deplore the day, should it ever arrive, on which by the vote of that

House, the reform which the people so loudly and unanimously required, should be refused to them.

The petition was ordered to lie on the table.

HOUSE OF COMMONS.

Monday, February 17.

CAPITAL PUNISHMENTS.] Mr. *Holford* presented a petition from Thomas John Waters, praying the House to abolish capital punishments in all cases excepting murder.

Mr. *Bennet* called the attention of the House to the subject of this petition, which, though only signed by one individual, expressed the sentiments of many benevolent persons. On the important subject of inflicting the punishment of death, it prayed the House to consider, whether it might not in all cases except murder, be commuted for imprisonment. Although we boasted that we were the most civilized people in Europe, our criminal code was the most severe of all. Neither in America nor France was death ever inflicted, except for the crime of murder. In the latter country, the practice had been, for the last twenty years, to send delinquents to penitentiary houses, where their morals were reformed, and they came out valuable members of society. It was seldom, he feared, that persons committed for offences in this country came out of prison with any improvement whatever in their moral sentiments. As the public attention was now drawn to the general subject of this petition, he trusted that it would speedily fall under the consideration of the House.

The petition was ordered to lie on the table.

PETITIONS RELATING TO REFORM, &c.] Lord *Cochrane* rose for the purpose of presenting a petition from the inhabitants of Narborough, in Leicestershire, praying for annual parliaments and universal suffrage, doctrines which, he had no doubt, would excite the indignation of an hon. and learned gentleman, who on a recent occasion had condemned them as chimerical and absurd. That they were chimerical and absurd, as had been stated, was mere matter of opinion, but when he heard an hon. member of that House designate those who supported these doctrines as included in two classes, the misleading and the misled, the designing and

the dupes, he felt himself bound to say a few words. Among the many authorities he might now mention, he should merely take one. Judge Blackstone had observed, that the law, in order to be binding on all, must be made by all, and that every man was supposed to be present at the making of a law, in consequence of his being represented. Now, if such was the case, if the law became only binding on those who were present at its being enacted, what was to be said of the great body of people who were not represented? What, he would ask, was to be said of Scotland, the country in which he was born, where out of a population of two millions there were only 2,700 electors? He maintained that the inhabitants of that country were not bound by the laws enacted here, as [loud cries of order! order!]

The *Speaker* apprehended such language was not parliamentary, and could not by any means be permitted in that House.

Lord *Cochrane* said, that had the House heard his sentence finished, they might have thought otherwise.

The *Speaker*—I am sorry to say the noble lord's sentence is already too complete.

Lord *Cochrane* proceeded. Such had been the opinion of the learned judge whom he had thought proper to quote. That such opinions as those of the petitioners might be entertained without their having any intention to subvert the constitution or established forms of the country certainly required no demonstration, and it was equally clear they might be entertained without any imputation being thrown on individuals. He had risen the other night in consequence of a pointed requisition made by an hon. and learned gentleman, that if any member thought the visionary theories of universal suffrage and annual parliaments could be maintained, he should show that they could. That requisition he felt himself bound to comply with, and had complied with, although he was then conscious to himself, and still was so, that he could not compete with the hon. and learned gentleman in words. He had then felt it necessary to state, that to the wisdom of the people he was more disposed to trust than to the wisdom of the House, persuaded that the people on every occasion decided coolly; that they decided wisely and brightly [Hear, hear! and a laugh]. He had also no hesitation in saying, that he was decidedly of opi-

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nion any system of representation was better than the present. But he would have expected that the hon. and learned gentleman would have felt for the petitioners, when he considered that he himself was not long ago of the same opinion, and had made an open declaration of them in a speech, on a day which he (lord C.) could name, and would name, when that learned gentleman had not the good fortune to represent a rotten borough, as he did now. The day was the 23d of June, 1814, when there were strong expectations, he would not say by that hon. and learned gentleman himself, but by others, that he would be returned for the city of Westminster. This speech then delivered was certainly a sure criterion of his political opinions at that crisis, whatever they might be now; and of the genuineness of that speech he had sufficient proofs in his hands. The hon. and learned gentleman declared his opinions were firmly in support of annual parliaments, and suffrage co-extensive with taxation. He had seen that hon. and learned gentleman's words on paper, not taken from him by a reporter, who might be afterwards charged with having mistaken them; but written coolly and deliberately—And by whom? Why by himself, although indeed no name or signature was attached to the declaration. Soon after (a day or two) he was waited upon for the purpose of correcting his speech, when he, instead of correcting it, thought it less trouble, and much better for him to write it afresh, which he accordingly did. The hon. and learned gentleman at the present moment represented a rotten borough; but still he (lord Cochrane) had sufficient evidence to prove these to have been the opinions of the hon. and learned gentleman, and he would now read them from the speech written by the hon. and learned gentleman's own hand. But first, to put an end to all doubts on the subject, he wished to know whether the paper he now held in his hand was the writing of the hon. and learned gentleman [Cries of Order, order!]? He hoped the House would hear with attention the then sentiments of the hon. and learned gentleman, which he should now read from a manuscript he held in his hand: "As often as we have required that parliaments should be chosen yearly, and that the elective franchise should be extended to all who pay taxes, we have been desired to wait, for the enemy was at the gate, and ready to avail himself of the discords

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attending our political contests, in order to undermine our national independence. This argument is gone, and our adversaries must now look for another. He had mentioned the two radical doctrines of yearly election, and the franchise enjoyed by all paying taxes; but it would be superfluous to reason in favour of them here where all were agreed upon the subject." Now, such were some of the words made use of on that occasion by the hon. and learned gentleman, and certainly he (Lord C.) knew no man who wore shoes or eat bread, who did not pay taxes; because though he perhaps did not pay them directly, they were laid on the articles he consumed by the person from whom he purchased them. But he would proceed in his extracts from the speech of the hon. and learned gentleman, aware that they must be very amusing to the House. "He suggested a fact for the use of such as might have occasion to defend their principles. It was one for the truth of which he might appeal to his hon. friend (Mr. Byng) the member for Middlesex, who knew, as well as he did, that there was a great improvement always observable in the conduct of the House of Commons towards the last year of a parliament, inasmuch, that he had heard it observed, that more good was done in that year than in all the other five or six. The reason of this he should not presume to state; but some persons were of so suspicious a nature as to insinuate that it might be the knowledge of members, that at the end of that session they must meet their constituents, such of them as had any, and give an account of their trust." He says again, in another part of the same speech, after complaining of a toast given by mistake, and which had said, "a full, fair, and free representation in parliament," leaving out the people, "this is just what is done elsewhere. There is a full, fair, and free representation in parliament, we need not drink to that.—There is a full representation of the aristocracy, a fair representation of the landed interest, a free representation and a free ingress of the court, but not so much representation of the people. They are left out, as they were to-day. It must, however, be otherwise soon. While they bear the burthens of the state, they must, as of right, share in its government, and to effect this reform, all good men must now unite." Such were the sentiments of the hon. and learned gentleman, who was now falling so unmer-

cifully foul on the friends of reform, charging them as deluding and misleading. There had, then, been three periods in the history of the hon. and learned gentleman when his opinions had differed. The first was, the time before he changed his opinions to that of annual parliaments, when he was neither among the misleading nor their dupes, but was an advocate for moderate and temperate reform. The second period was, the time he had made this memorable speech. And here he could not help alluding to the time when this speech had been delivered. It was when he (lord C.) had been expelled from the House, and when, consequently, a vacancy was expected for Westminster. He did not impute motives to the hon. and learned gentleman, but it was singular that this very period should have been selected as the most proper for making the speech. Any one, however, who knew that such a speech had at such a time been made by the hon. and learned gentleman, would have expected he would of course have been less severe on the reformers, instead of now pronouncing anathemas on their motives and characters; and it would therefore have, perhaps, been more prudent for the hon. and learned gentleman to have said less. With respect to an individual who had been noticed formerly as the source whence all these petitions, or the most of them, emanated, he meant major Cartwright, he begged leave to say, that he did not know a more disinterested or upright individual. Attached to the principles of no party, advocating neither the claims of one class or another, that venerable man had devoted his whole life to the cause of the people, and in defence of their best and most sacred privileges. He was proud to bear this testimony, having had the most satisfactory evidence from personal knowledge that this was the case. He should not now further trespass on their attention, unless he was compelled to say more, when he should produce more facts. He concluded by moving for leave to bring up the petition.

Mr. Brougham said, it had often been observed, and indeed with great justice, that there was not perhaps a more painful and irksome situation, than that where a man was obliged to speak of himself. In proportion to that painful situation, and in compassion to it, the indulgence of the House had always been extended, and he hoped it would be so on the present occa-

sion [Hear, hear!]. He trusted it would not, however, be thought that he was courting anxiously an opportunity of going into detail, or that, on the contrary, he wished to avoid such detail, for he felt it his duty to say, that he expressed his warmest thanks to the noble lord for the frank and open manner in which he had afforded him the opportunity of going into the subject. A more groundless aspersion had, he believed, never been brought forward against any individual. He did not accuse the noble lord, however, or those out of doors who had put the brief into his hands, of uttering any falsehood in the statement which had just been submitted to the House, but he decidedly accused them of rashness and imprudence, and of not waiting for only a few days longer, when they would have had a full and fair opportunity of hearing his opinions on this most momentous and important subject, and when they could then have found whether he was or was not inconsistent. Had those out of doors, whose tool the noble lord was, but waited those few days, they would then have known what his real sentiments on the question were, having, as the House well knew, reserved to himself the right of then speaking what he felt on the subject [Hear, hear!]. How then could the noble lord, how could they in whose hands he is, presume to know what were the opinions he (Mr. B.) had formed on this most interesting question? How did they know that he would not have stated his opinion then in the very terms which had just been read? That they should have ascertained his sentiments was a moral impossibility [Hear, hear!]. But the noble lord had given a mis-statement of what took place, and he should now endeavour to give the House the particulars of the case. A dinner was given at the London Tavern to the friends of parliamentary reform, at which he (Mr. B.) attended, with his friend the member for Middlesex, with the late truly respected and much lamented member for Bedford (Mr. Whitbread), with the member for Hertfordshire (Mr. Brand), and the member for Shrewsbury (Mr. Bennet). In the course of what passed there, some observations fell from him similar to what had been read by the noble lord. The chief motive he had in correcting what he had there stated was, to prevent the possibility of his words on this important question from being misrepresented. He then said, or at least

meant to be understood as saying, what he still maintained, that it was consonant to the genius and spirit of the constitution, and expedient in every sense of the word, that the power of election should be limited to those who paid direct taxes. He corrected what he had said on the subject, as he was aware of the mistakes of reporters. He again repeated, and wished it to be understood, that what he then said the same he now maintained, viz. that the payment of direct taxes ought to be the limit of the elective franchise. He did not wish to compete with the noble lord, but this was his meaning when he so spoke.—He should wish to say one word upon what had been said respecting his advocating the cause of a moderate and gradual reform. Six years ago, it would be remembered, he had repeatedly said, both within and without the House, that it would be proper for those who wished for annual parliaments to unite with those who were more moderate, and thus secure a footing. There was no reason for their stopping short, and he did not hold it to be inconsistent in the friends of annual parliaments to unite with the more moderate reformers, and to obtain, in the first instance, a beginning. This was the opinion he then held, and he had never deviated from it. The noble lord was much mistaken when he supposed that the mere production of a speech delivered by him (Mr. B.) at a tavern, would make him swerve from the line of duty, merely from the foolish and childish desire of keeping up an appearance of consistency. If he supposed him to do so, he was much mistaken. The House had heard him declare his intention to reserve his right of being heard, when the question was brought fully under the consideration of the House, and he could only add, that he would still reserve to himself that right, uninfluenced by any thing the noble lord had said. He again repeated, that when he spoke of the extension of suffrage, he meant it should be to those who paid direct taxes only, for he never dreamt of it going further. As to the miserable motives alleged to have actuated him, as if he could prostitute himself at one time to deliver opinions which were not the sentiments of his heart, for the purpose of being carried into the House on the shoulders of a rabble, and at another time to bend to prejudices he might have to contend with in the House, all he should say was, that he treated such charges with

the contempt they deserved. The only pain he felt was, when he contemplated the folly and the madness of some wild theorists, and the base expedients and false practices they made use of to divide the people from the constitution, merely to gratify party purposes, and to compass objects in which the good of the country was neglected, while the interest of one or two individuals was the all in all [Hear, hear!]. This gave him more pain than all the noble lord had said or could say.

Mr. *J. W. Ward* expressed his persuasion, from the long knowledge which he had had of his hon. and learned friend, that he was incapable of the inconsistency which had been imputed to him. There was one expression, however, in his hon. and learned friend's speech, to which he wished the House particularly to attend, in order that they might be on their guard against the commencement of a system which would eventually be destructive of every constitutional principle. His hon. and learned friend had advised those who were the friends of the most extensive reform to be satisfied if they made but a beginning—if they obtained but a footing on the subject. When the question of parliamentary reform should come to be regularly discussed, and when the House should be told, as no doubt it would be told, by the advocates of what was called moderate reform, that the alterations which they proposed were trifling, and could do no harm, he would remind them of his hon. and learned friend's suggestion, that a beginning, was at any rate advisable; and on the ground that the beginning of an inroad on the constitution was dangerous, would he firmly resist every proposition that might be made on the subject.

Sir *F. Burdett* trusted that few persons in the House would be found disposed to agree in opinion with the hon. gentleman who had just sat down. He begged leave to say, that it was a very weak argument to contend, that because any measure might be bad if pushed to extremity, it was therefore not desirable to adopt it as far as it would be wise to do so. He hoped that this kind of reasoning would not have the effect of inducing the House to refuse to consider the proposal for the introduction of so much reform as would remove them from the controul of the executive government. Would it be justifiable in those who thought that all kinds of property should have its protection in that

House, by conferring on the possessors of all property the right of nominating their protectors, to resist a proposition of that nature, because a large body of the people wished for a reform still more extensive? It was a most unfair way of stating the case, to maintain that the House ought not to concede any thing, because much more than they might be disposed to concede was required by a numerous body of the people. If the House adopted any measures by which the public purse should be in future effectually protected against the rapacity and extravagance of ministers, he firmly believed that the rational part of the community—the great bulk of the nation—would be satisfied. It was curious to observe the hon. gentleman so fearful of the slightest alteration in the structure of parliament—so apprehensive of the smallest inroad on the constitution—sitting behind persons who had made the greatest inroads on the constitution; sitting behind those who, in effecting the Union with Ireland, had actually bought up the Irish parliament (a fact not resting on rumour, but offered to be proved in that House by the then Speaker of the Irish House of Commons), and had introduced a hundred Irish members into the British House of Commons. Surely that was a great alteration in the constitution. He would not argue whether it was a good or a bad one; but it was certainly singular to find the hon. gentleman supporting those by whose influence that great alteration was effected, and yet expressing his determination to resist the slightest attempt that should be made to wipe out the foulest and most disgusting blot that existed on the character of that House. With reference to the explanations which had taken place on the subject of direct taxation, he had no difficulty in saying that he was apprehensive the proposition for universal suffrage could not be considered as tenable, and he was persuaded that such a reform as would protect property, and protect the bulk of the community from oppression, would satisfy all who had rational views on the subject; and that then nothing more would be heard about universal suffrage. He deeply lamented that gentlemen who agreed in the general principle of the necessity of some reform, instead of keeping their own eyes, and directing the eyes of the public to the notorious fact that the members of that House were nominated by a very small body, and that less than two hundred

persons actually nominated the majority of the House, acted towards each other with the hostility of the professors of different sects of religion; instead of uniting to obtain the abolition of at least that enormous grievance. It was much to be regretted that those who were all anxious to obtain a salutary reform, should thus waste their strength in acrimonious contention, instead of combining to obtain the great object in view.

Mr. *Brand* said, that his hon. friend opposite (Mr. *Ward*) had been that night, it seemed, laying the foundation for the resistance which it was his intention to make to any proposal for reform, however moderate. His hon. friend had talked triumphantly of the expression used by his hon. and learned friend, that "a beginning" was desirable, as if that expression afforded any support to his argument. Of what was the beginning, recommended by his hon. and learned friend? Not the beginning of mischief—not the beginning of revolution—but the beginning of moderate and rational reform. He therefore strongly protested against the insinuation conveyed in his hon. friend's remarks. He agreed entirely with the hon. baronet in regretting the differences which had arisen among those who were all the friends of parliamentary reform. It was a subject on which he had felt great anxiety ever since he had had the honour of a seat in that House. He lamented much this disagreement; and he particularly lamented the chimerical systems held out as if to divert the people, and impede the progress of that rational reform, which every true friend of his country must wish to see established. His hon. and learned friend had vindicated—he ought rather to say he had completely repelled, the uncalled-for and undeserved attack that had been levelled at him. He hoped that from this time until the general discussion on the subject, the noble lord would abstain from personal attacks on those who were desirous to co-operate with him, to a certain extent. He would support the question of reform to the extent which he thought beneficial, although perhaps not to the extent to which the noble lord was disposed to go. He recollected that when he brought the question of reform before that House, he had the noble lord's support, although not on the principle on which he himself maintained his motion; for he wished for reform, because it would weaken the hands of government, and

strengthen those of the people; while the reason for support assigned by the noble lord was, that he wished to strengthen the hands of government.

Lord *A. Hamilton*, advertent to the observations which had been made by Mr. *Ward*, thought that the hon. gentleman might have abated somewhat of the severity of his observations, and might have expressed himself in terms of less decided hostility against all descriptions of parliamentary reform whatever, from the recollection of his having formerly supported the other side of the House, and sat by the side of Mr. *Fox* and other distinguished individuals, who had maintained the cause of rational reform. When the subject should be regularly brought before the House, and when he should be called on, in common with every other member of the House, to give his opinion upon it, he should state the reasons which convinced him that reform to a certain extent was indispensable to the well-being of the country.

Mr. *Ward*, in explanation, denied that there was any inconsistency in his sentiments on the subject of parliamentary reform. He knew it was very natural for so distinguished an individual as the noble lord to be ignorant of the opinions of an individual so little distinguished as himself; but he thought he was entitled to require that the noble lord should not misrepresent that which he did not know. He appealed to those who knew what his conduct was when he sat on the opposite side of the House, on the question of parliamentary reform, even at the hazard of the displeasure of some of his best friends. At that time he as strongly, as earnestly, and as sincerely pronounced an opinion against parliamentary reform as at present.

Lord *A. Hamilton* explained. All that he contended was, not that the hon. gentleman had actually supported parliamentary reform, but that the recollection of his former connexions should have prevented him from contending that all those who supported moderate reform had some ulterior object in view.

Mr. *Canning* was not anxious to prolong the discussion, but some things had occurred in the course of it, on which he wished to say a few words. An hon. baronet had deprecated all differences of opinion among the friends of parliamentary reform; and indeed with good reason, for the poor reformers seemed really about

very seriously to quarrel. It was very natural that some of their more prudent friends, when they observed demonstrations of that nature, should advise them to keep their differences of opinion in the back ground, for the present at least, until the necessity of reform had been actually admitted by the House, when they might be brought forth with a greater chance of success. The House had that night heard at least six different projects of reform. The hon. baronet's was, he believed, the fifth; and thinking probably, that enough had been said about the subject, and that all these political haberdasheries should not be prematurely exposed, but some samples reserved for future exhibition, the hon. baronet advised that the show should end for the present. For himself, he earnestly entreated every hon. gentleman who had brought a pocket plan of reform with him, to open it, in order that the House might compare one with the other, and be prepared to say, in the discussion which was to take place after Easter, which they preferred. The only concession they were called upon to make was, to give up the House of Commons as it stood, and as soon as that concession should be made, they would be immediately admitted to the view of a beautiful variety of experiments, out of which it would be impossible that they should not be enabled to adopt one that would be highly satisfactory. Not having been in the House at the outset of the discussion between the noble lord and the hon. and learned gentleman, he could give no decided opinion on the serious difference which seemed to exist between them. But, as far as the question of reform was concerned, he really thought the noble lord had been very hardly used. He advised the noble lord to stick to his own plan. Although it was ruin; although it was confiscation; although it was desolation; it was at least founded on principle. For what was it that it was proposed to gain by reform? A great additional strength to the constitution by winning the hearts of the great body of the people. Now, if the signatures to the different petitions were counted, the majority would out of all size be found to be for universal suffrage. He knew very well that the suggestion of universal suffrage was now brow-beaten by the very persons, who during the first fortnight of the session rebuked those on his side of the House who ventured to condemn it.

The cause of this change of opinion, he would not profess to assign. His own opinion remained unchanged. If adopted, it would be followed, not only by the ruin of that House, but by the subversion of the constitution. But still, were he asked if universal suffrage was not a direct deduction from the principles maintained by all the advocates of reform generally, he would reply that it certainly was. He was, therefore, decidedly for opposing the beginning of a system which must end in national destruction. The debate of that evening had, in his opinion, been very advantageous; and he was persuaded that the country would feel much obliged to his hon. friend for not allowing the expressions used by the hon. and learned gentleman opposite to pass, without taking the opportunity of warning the House against the danger that would inevitably result from giving way in the smallest degree to any of the plans which were in contemplation. The principle of all those plans, whatever might be their details, was, that the House of Commons was not at present adequate to the discharge of the functions which belonged to it by the constitution. This was not a little blot, as the hon. baronet had alleged; but a broad principle, pregnant with the most fatal consequences. He, and those who thought with him, said, that the House of Commons was adequate to the discharge of those functions; that it represented the opinions of the people; and that it protected their interests. On the six or seven plans of reform which had been produced, the House would have leisure to meditate until the discussion which was threatened after Easter. He trusted they would beware of giving way a single step. If they did so, they must recollect that they would do it not for the adoption of any definite system, but that they would pass from a deep to a lower, and from the lowest depth into inextricable confusion.

Mr. *Tierney* said, that whatever construction of the legislature some persons might propose, whatever projects of unattainable advantage they might suggest, he would not lend himself to any of them, when a real and practical benefit was all that he wanted. He must declare that he conscientiously believed that, in the present constitution of the House of Commons, the interests of the people were not consulted to the extent to which they ought to be consulted. What particular remedy it might be advisable to apply, he

would not now consider. But he could assure the right hon. gentleman, that although he was desirous of making the House of Commons gradually and practically a truer representation of the people, beyond that he would not go. As to the right hon. gentleman, he believed that he was the only man in his majesty's dominions who maintained that no practical good could result from any alteration whatever in the constitution of that House. That any one, and more especially a right hon. gentleman in power, should feel alarmed at a great and theoretical proposition on the subject, was not surprising; but when the right hon. gentleman declared, that he viewed with jealousy and apprehension every suggestion for reform, however moderate and practicable, he was persuaded that he would not in that House find a seconder of such a declaration. As to the question of annual parliaments and universal suffrage, if the noble lord required any thing more to convince him of the propriety of desisting from being the advocate of propositions of that nature what had passed that night ought to operate still more forcibly on his mind than any previous circumstance. The noble lord had heard the right hon. gentleman call on him to go on. He, who hated all reform, implored the noble lord to persevere in that which he knew could never succeed. If, after this, the noble lord should continue to be the friend of annual parliaments and universal suffrage, he (Mr. T.) should not think that he was consulting the good of the people, but that on the contrary, without intending, he was playing into the hands of their enemies. One word more. The right hon. gentleman had treated with a sarcastic kind of humour the wish expressed by an hon. baronet, that the noble lord and the hon. and learned gentleman, and the other friends of reform might make up their differences. Why was this sneer? Had the right hon. gentleman a monopoly in making up differences? [Hear, hear!] How did the right hon. gentleman and those about him contrive to make up their differences? After that specimen of reconciliation, surely no difference of opinion, however wide among the friends of reform might not with facility be adjusted [Hear, hear!]. The hon. gentleman opposite (Mr. Ward) had laid in his claim, whenever this subject came to be discussed, to sound the alarm to the country, in conse-

quence of an expression which had fallen from his hon. and learned friend. And what was the amount of the hon. gentleman's objection to this expression? That if any thing were reformed, the door would be opened to the mob and to unlimited reform! This doctrine he feared was entertained on other descriptions of reform, besides parliamentary. There was reason to fear that a late surrender by a noble marquess began to be considered as a dangerous beginning. He had no doubt, that among a certain class of individuals the honourable step taken by lord Camden, was held to be the most mischievous proceeding on the subject of reform that had hitherto taken place, opening a door to the mob into which they would rush, and then who could tell whose place or salary would be safe? For himself he felt perfectly convinced, that while the noble lord on the treasury bench was making a very rational speech the other evening in favour of practical economy, many who were seated near him, viewed him with extreme horror, as uttering sentiments essentially injurious to the public service [a laugh]. The effect of this alarm had, indeed, been in some degree apparent; for all at once the career of reduction had stopped short; and no hope seemed to be cherished that the splendid example of the Prince Regent would be further followed. We were to be perfectly satisfied with what had been done. It was rather extraordinary, considering the alarm expressed by the hon. gentleman opposite, lest any reform whatever should be entertained, that he should have been at one period chairman of a committee on sinecures, by which it was declared, that it was not necessary that two paymasters should receive one salary. It was surprising, considering the sentiments now avowed by the hon. gentleman, that he could ever consent to be a party to a declaration so dangerous to the constitution [a laugh].

Mr. Lyttelton had heard with considerable pain the personal attack made by the noble lord on his hon. and learned friend, and with great satisfaction the complete manner in which his hon. and learned friend had vindicated himself. Adverting to the observations made on his hon. and learned friend's speech last week, he observed, that his hon. and learned friend was not liable to the imputations cast on him by the noble lord. All that his hon. and learned friend contended was, that

propositions maintaining that annual parliaments and universal suffrage were the birthright of the people, had been put into the mouths of ignorant persons, in direct contradiction to all historical testimony. There was also a sort of oblique attempt on the part of the noble lord at intimidation, unless his hon. and learned friend and those who thought with him went the length of the noble lord and his friends. For himself, he was quite ready to share in any odium which might attach to his hon. and learned friend for his conduct on this important question. He trusted that there were none who, like him, espoused the cause of moderate and constitutional reform, but would be the same. The worst enemies of true reform were those strange, unconstitutional, and he would say, designing innovators, whose advocate the noble lord was, and whose second and supporter was the right hon. gentleman opposite.

Lord *Cochrane* assured the House that had the hon. and learned gentleman in the observations made by him on a former occasion confined himself to the reprobation of his (lord C.'s) conduct, he would have been the last man to make the statement which he had that night made, and which he had felt himself called upon to make, because the hon. and learned gentleman's censures, instead of having been so confined, had been bestowed on the most honourable characters, and on almost the unanimous voice of the country, which the hon. and learned gentleman had maintained was divided into only two classes; the deceivers and the deceived. It was on that account that he had quoted the hon. and learned gentleman's former opinions, in order to show that he ought to have been less severe, and he was happy to observe the good effect of the step which he had taken in the altered tone of the hon. and learned gentleman. He was in the recollection of the House, that nothing personal had originated with him. He had merely stated, that triennial parliaments would only reduce, and not remove the existing corruption; and he had that evening quoted, in support of that statement, the hon. and learned gentleman's observation, that in the last year of every parliament, more benefit accrued to the public than during all the preceding years of its existence. It was his firm conviction, that unless the House discussed the subject with the deliberation which its importance demanded; unless every part of it should be fully and

fairly investigated; unless the doors of the gallery should remain open during the whole of the proceedings, that the public might, in the usual manner, become acquainted with — [a loud cry of order!]. Unless a full, and free, and open discussion should be entered into on the question which the right hon. gentleman and the hon. gentleman behind him, declared ought not to be at all entertained, the country would consider that it had a most serious cause of complaint.

Mr. *Brougham* denied that he had at all altered his tone on the subject. He had repeated that night what he had said last week. He had not altered his tone either to the noble lord, or his abettors, and he never would do so; and he begged the noble lord to receive that as his final avowal on the subject. The noble lord had introduced one topic in the observations which had just fallen from him, that was enough to stagger the stoutest friend of true reform in that House. The noble lord had alluded to a certain influence to be exercised over that House; not the influence of well disposed persons; not the influence of the wishes expressed by the people in their petitions, but another description of influence, which appeared to him to be of the nature of intimidation. Warm friend as he was to the cause of parliamentary reform, he held that that cause must be supported by other means than this. If there should appear any symptom of such a proceeding on the subject, he should not have the slightest hesitation in resorting to one of two expedients in order to counteract it; either to move the adjournment of the discussion *sine die*, or to prevent all possibility of that influence being used in the way to which the noble lord had alluded.

Lord *Cochrane*, in explanation, denied any intention of intimidation. He was only anxious that the House might fully consider the important subject that would be brought before it.

The petition was ordered to lie on the table.

WAR SALARIES OF THE SECRETARIES OF THE ADMIRALTY.] Lord *Milton*, in rising to call the attention of the House to the increase made in the Salaries of the Secretaries of the Admiralty in consequence of the war with Algiers, said, that it was remarkable how different was the appearance of objects, according to the difference of the mind and disposition of

the person by whom they were viewed.—There was not a more striking instance of this than the transaction before the House. Undoubtedly the Prince Regent who, from his high situation, was best acquainted with the means of the country to bear the burthens imposed on it, when he surrendered one-fifth of the sum assigned to him to support the dignity of the first magistrate, must have been fully convinced of the necessities of the people. This example had been followed by a noble lord, high in rank (marquis Camden), who had relinquished a part of the emoluments of an office which had been bestowed on his family as the meed of the services of those from whom he had descended. But at the time when these and other exalted characters were giving examples of surrendering a part of that to which they had an undoubted right, and which, of course, only a sense of the necessity of the times could have induced them to relinquish, another gentleman, in a subordinate office indeed, had procured an addition to his own salary. With what different eyes must this honourable gentleman or the admiralty have beheld the symptoms of the times, when they conceived the autumn of 1816 the most convenient opportunity for taking advantage of a single expedition, to bestow an increase of salaries on the secretaries and others. While others were surrendering their rights, the secretary of the admiralty was adding to his emoluments. The ground on which this claim had been set up was an order of council, of January 15th, 1800, by which, on account of the increase of duties in time of war, the secretary and some other persons were to have an increased salary in time of war. But the question was, had it been fairly made out to the sense of any man, that the time for which the increased salary had been given was in reality what could be fairly understood by a state of war? He denied that it was, and he could give good reasons for the denial. He did not mean to assert that a declaration was necessary to constitute a state of war—for declaration there certainly was none—but neither were there even letters of marque or order of reprisal issued on that occasion; nor any other circumstances which attend and characterise a war. A fleet was sent to Algiers, with lord Exmouth in the double character of a negotiator and a commander. He had to exert himself as a diplomatist before he had recourse to force. When

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the attack was finally made and had succeeded, what did lord Exmouth say? "Thus has a provoked war of two days existence been attended with a complete victory." These were the words of the dispatch. A quarter's salary on the war establishment was claimed by the hon. secretary for a war said to be of two days duration by the commander who conducted it! Upon what pretence did lord Melville and the two other naval lords presume to date the war from the order to fit out the expedition? Any thing so monstrous as this had never been before advanced. We might have been at war for years without such an order; or the expedition might have been fitted out for a considerable time without proceeding to hostilities—as was the case in 1810 with the Copenhagen expedition, which indeed ultimately proceeded to hostilities. If the commencement of this Algiers war was difficult to be settled, and had been settled wrong, its termination was no less curious: it was dated from the reception of the treaty at the admiralty! These dates of the fitting out of the expedition, and the arrival of the treaty in London, might tally with the duration of the salary; but they could not be said to constitute the commencement and the termination of a war, during the existence of which a war salary could be claimed. The war did not continue while negotiations were carried on at home, or till the treaty made was sanctioned by the government of this country: it ended as soon as the dey had consented to yield to the terms with which lord Exmouth was instructed to demand his compliance, and that was on the day subsequent to the victory. But taking it that the secretaries of the Admiralty were entitled to war salaries on this occasion, there were other officers included in the provisions of the order of council which regulated their allowance, and they likewise should have received augmented pay. If any one was thus rewarded for additional duty, all should be rewarded, otherwise the measure was partial, and showed undue favour. The master shipwrights, and the master carpenters, he (lord M.) had been told, were on the footing of war and peace allowance. If this was the case, the order in council allowed an increase of salary to them during war, and if they had not now received it, while the hon. gentleman had, what would the country say—what would it think of that kind of justice that would allow an in-

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creased salary to a public servant, because he was a member of parliament, while it withheld the increase from others, equally entitled, because less powerful, and therefore not so great favourites, although the real work and exertion occasioned by the expedition had fallen upon them? He was ignorant of the fact, but he hoped the hon. gentleman would give him complete information; he hoped that he would be able to show that all were treated alike; for he (Mr. Croker) would feel that he incumbered himself with a heavy weight of suspicion and responsibility, if he advised a measure of remuneration to himself which he did not to others, who were entitled to the benefit of the same regulation. The magnitude of the sum was not the reason why he called the attention of parliament to the subject: he did so because he wished the House to redeem itself with the country, and to merit its confidence. A call for retrenchment had been made on all ranks of men, from the prince to the peasant: would the House be deaf to the call so unanimously and strongly expressed? If it neglected this call, the public distress might lead to public discontent; and all confidence in the representatives of the people would vanish. The sums were small, but these were not times to pass over small sums. Parliament, in viewing the expenditure of the public money, ought, if he might so express himself, to have a microscopic eye, especially when that expenditure was connected with one of its own members; what would the country think if they saw government discharge porters, workmen, and clerks from the public offices, while it increased the salaries of those who had influence and power? The circumstance of the secretary being a member of parliament, made it imperative on the House to watch with more vigilance over transactions like the present; as otherwise an idea might be countenanced that certain persons in that House might escape the rigour of that system of economy which was applied to all others. What had the hon. gentleman done for his augmented salary—where were his services—what were his increased duties? Did his increased trouble and labour deserve such additional reward? Did the government of 1800 contemplate an expedition against a petty state not admitted into the rank of civilized nations, as sufficient to authorize the secretary of the admiralty to consider

this empire in a state of war, which would entitle him to a war salary? Was every insulated and partial armament to be considered as the war meant in the order in council of that date? Here there was no correspondence to be carried on with foreign parts; no difficult arrangements to be made; no co-operation to be managed. The war meant in the order in council must have had something of a general character, and could not allude to a single, partial, and insulated expedition. If such was the case, the public had been much deceived, as was likewise the navy pay-office. The navy pay-office, not thinking that the attack on Algiers constituted this country in a state of war within the meaning of the order of 1800, refused to pay the war salary till they had consulted with the admiralty. This board accordingly asked, "Are we at war?" "O yes," replied the admiralty, "we have been in a mighty and dangerous war, therefore pay the secretaries their war salary." The navy-office by the question clearly thought that there was no title made out to an increase of emoluments on account of the expedition to Algiers. The utmost duration of the war, even according to the admiral, was two days, which, according to the rate of increase, would have entitled the hon. secretary to *5*l.* 3*s.* 9*d.** instead of a quarter's allowance. It might have happened that lord Exmouth might have found the day ready to comply with the demands of the British government without coming to extremities; and what would have been the situation of the secretary then? He must have written all his dispatches, he must have undergone all his fatigues, he must have carried on all his war correspondence for nothing. There would have been no war, nor any additional allowance. Was, therefore, the bombardment of Algiers, which gave him no additional trouble, and which lasted only a few hours, to make that a period of war from the fitting out of the expedition to the arrival of the dispatches, which would not have been a war otherwise? While it gave no labour was it to be productive of emolument? and was the hon. gentleman to obtain, under false pretences, a salary which he did not merit by his exertions? What! because we had made war upon pirates, was the hon. gentleman to turn pirate, and make war against the finances of the country? After what had passed last year, he did not think that the hon. gentleman would have

provoked the present discussion, or obtruded himself again on public notice. Whatever others might do *si quis alius*, he did not think that the hon. gentleman would have made the demand of the salary, or challenged the votes of the House in its support. In last session the majority was so small in his favour, that a noble lord came down, and out of a decent regard to the sense of parliament, gave up, in his name, the war salary. This was done at the hint of parliament, and the hon. gentleman himself took the credit of the act. He hoped that the House of Commons would not in the present instance allow his majesty's ministers to take any credit for a similar surrender, but would wrest from the hon. gentleman that to which he was not entitled. He hoped it would show him, that while many were sacrificing what they had a right to enjoy, he would not be the only person allowed to prey upon the distresses of the country, and to increase his emoluments at a time when the Prince Regent was reducing his. A lesson should now be read him that he would never forget. The nation called upon parliament for economy. They did not do so without just cause. They had trusted in government, and they had reason to suspect its sincerity and good faith; and they therefore called upon the House to protect them from the extravagance of the administration—from that system of favouritism which would be the bane and the destruction of any country. If there were now something done for the country, in the way of reducing their burthens and protecting their interests, it would be a better answer to the reformers than all the speeches of the right hon. gentleman, who did not think reform necessary, and who used the extraordinary phrase that the House was as “perfect a representation of the people as it needed to be.” He did not see any limits to the perfection of the representation, and thought it was never as perfect as it needed be, unless it was as perfect as it could be. The influence of the Crown had increased, both within the walls of parliament, and without, and should, both in doors, and out of doors, be reduced. If it was not lessened in time of peace, there was no chance that it would be lessened at all. He begged pardon, however, for wandering from the subject into the question of parliamentary reform; and could only plead as his apology, that parliamentary

reform, when it came across his mind, touched so powerful a chord, that it vibrated for some time without his control. The best reform was a reform of the House itself, shown in controlling the public expenditure, and watching the general interests of the people. On these grounds he moved, “That the issue of the war salaries to the secretaries to the admiralty, and certain other persons connected with the navy and dock-yards, in consideration of the expedition to Algiers, which terminated in hostilities with that government, is uncalled for by the order in council of January 15th, 1800, and therefore an improper application of the public money.”

Mr. Croker said, he felt the necessity of apologizing to the House for being obliged to offer himself to its attention on a subject so very personal, and in expressing the pain which he felt at being compelled to do so, he hoped that the House would extend to him its usual candour and good nature, which he felt himself entitled to claim in no less a degree than the hon. and learned gentleman opposite had this night already claimed it. The noble lord had made this question one as personal as it could possibly be made, for the noble lord had not only stated, that he was rapacious, that he was grasping, but that he was, in short, every thing which he hoped the noble lord was not, and which the noble lord in his heart could not really believe him to be. The noble lord had said that this increase of salary had been made not only for him, but by him, and that it had been extended to a few other officers (but not to all), as a pretence. The noble lord seemed to say that he not only took the increase of salary, but that he procured other persons to lend themselves to the same act. For his own part, he was quite above denying the part which he had taken in that matter. He had made the demand, because he thought it a matter of right; he had made it because he thought it due to the office. The amount was so paltry that it could be no inducement to him to make an unjust or doubtful claim. The noble lord talked of the example certainly the noble example of the Prince Regent. But he would ask, whether supposing that he (Mr. C.) had been foolish and vain enough to have commenced in August last, by giving adonation to the public of this 220^l., whether the noble lord himself would not have been among the first to have con-

demned such conduct, and to have described it as a paltry and cheap way of giving a donation to the public, by relinquishing that to which he had no right? He would tell the noble lord, that he was as ready to make any sacrifice to the public as the noble lord, or any other member. But he thought it his duty first to establish his right, and then he might come forward and give up what the necessities of the times might seem to require. It was in August last that he made this demand. He would not enter into the question of war or peace, though he might observe that the noble lord admitted there had been only a war of two days duration, because no letters of marque had been issued. The reason why no letters of marque were issued was, that Algiers was not a mercantile state, and in no war against that state, by this or any other nation, had letters of marque ever been issued. So much for this part of the noble lord's argument. But he would tell the noble lord that the expedition was not fitted out merely to negotiate, or during the time of peace, for his royal highness the Prince Regent stated that the aggressions of the dey of Algiers had obliged him to return them upon his head. The noble lord said too, that lord Exmouth was sent to negotiate, although the fact was, that he was sent less with a view to mere negotiation than the commander of any expedition ever was sent. The noble lord said, "what if hostilities had not followed?" to which he (Mr. C.) replied, that if they had not, he would not have made any claim. The question rested upon the construction of the order in council. That order stated, that during war, the fees of the secretaries of the admiralty were very considerable, and in lieu of them it gave an increase of salary. On the old scale the fees upon the fitting out of the expedition against Algiers would have amounted to more than the quarter's salary. It was quite erroneous to say that a country was in a state of warfare only while actual hostilities were going on. According to such doctrines, the war with Denmark lasted only one or two days; and the last war with France was a war of only one day, for the whole campaign was terminated in one day. The noble lord had said, that he considered there were other persons in the dock-yards who had war and peace salaries; but the fact was, that the secretaries of the admiralty were the only persons on war and peace salaries. He had only to

add that he never demanded this increase of salary as a favour, but as a pure right. As a favour he would not have received it; but he thought it due to the office to which he belonged to demand it as a right, and he did not think that, in justice to his successors, he could have refrained from that claim. He hoped that, whatever the noble lord might think of this matter, the House would not consider that the noble lord had a right to investigate the motives of his private conduct. There were those in that House who would view the subject in its proper light, and who would feel with him that if he had not a clear right he should never have made the demand. He would say more, that if the business had not been completed before the quarter day, he was not sure that he should not so far have gratified his personal feelings as not to have made the demand. He should not merely have thought that the occasion presented itself, without considering what was due to his own feelings. Did any gentleman think that he supposed the noble lord, or some other person would not have taken notice of this? Was there any secret whatever in any part of the transaction? He was perfectly aware when he took it, that he should have to explain the grounds on which he took the money, and he repeated that he thought it a duty to make that demand. It was a question merely of pure right. It certainly did not become him to speak of the manner in which he fulfilled the duties of his office: but he might be allowed to say, that he fulfilled them to the best of his ability; and as to this increase of salary, he had made the demand in a way which until that night he had never thought would have subjected him to the imputation of unworthy motives.

Mr. Calcraft thought, after what the hon. gentleman had said, namely, that if hostilities had not taken place, he should not have considered himself entitled to claim that salary—that he might as well conclude the debate, and compound the matter with the noble lord. Let the hon. gentleman pocket his five pounds three shillings, and there be an end. It must be admitted, however, that the chief blame of this transaction rested with the lords of the admiralty. He differed from the hon. gentleman as to this being a personal affair, but he concurred with him in thinking that it was a paltry one. The sum itself was small in amount, but great and important with reference to the sufferings

of the people. When the demand was first started, the navy board were so completely in doubt about it, that they applied to the admiralty to know whether we were at peace or at war. The lords of the admiralty, who knew what our actual situation was, should immediately have put their *veto* on so ungracious a demand, and have refused a salary which placed a subordinate board in doubt whether it could be allowed or not. Lord Exmouth went out with a treaty in his pocket, empowered to offer to the Algerines the alternative of either accepting the treaty, or engaging in war. The treaty was refused, and in consequence a war was commenced, which was concluded in two days. The only claim, therefore, which the admiralty should have admitted was for that short period during which hostilities were waged. If they had done so, then, with all the anxiety and delicacy of the hon. gentleman for the precedent, and for the benefit of his successors, when he was told that the increase of salary would amount to no more than five pounds three shillings and ninepence, his susceptibility would have ceased, and the House would not have been occupied on this very frivolous and paltry discussion. He thanked the hon. gentleman for his cheers; but the question lay in so narrow a compass, and the hon. gentleman had so completely stated himself out of count, that he was at a loss what farther to say on this subject. He supposed the hon. gentleman thought this a fit opportunity to show, that he would take the earliest occasion to recover that which the House of Commons had deprived him of. But what were the real merits of the case? Ought not the hon. gentleman to refund all above the two days? The order in council stated, that the salary of the first secretary should be fixed at 3,000*l.* in time of peace, with an additional salary of 1,000*l.* in time of war: but what was a time of war, according to the spirit of that order? It was not the mere firing of shot for which an increase of salary was to be given; it was the additional trouble that ought to entitle him to the additional remuneration. Now, what additional trouble had the hon. gentleman experienced in fitting out the expedition to Algiers? What additional ships were put into commission for that enterprise? He believed none beyond the peace establishment; and this was enough to show, that the hon. gentleman did not understand the orders in council on which he had claimed this

additional salary. Hostilities lasted only two days; and all he could claim was the difference between what he had received on the peace establishment, and what he ought to receive on the war establishment, for those two days. The lords of the admiralty had a great deal to answer for to the country for promising to the hon. gentleman the full war salary. Little, he repeated, as it was in amount, and unimportant as it was in the whole, in money, it was most material in point of principle, and not only showed a contempt for the feelings of the people, but a total disregard to what had passed in that House.

Sir *Joseph Yorke* observed, that the question to be decided was extremely simple. The salary of the first secretary was fixed at 3,000*l.* per annum, during peace, with an additional 1,000*l.* in time of war: the salary of the second secretary was 1,500*l.* in peace, and 2,000*l.* in war. As to the commissioners of the navy they did not send to the admiralty to know whether this country was at war or not, but to ascertain at what time the war salary should commence. The answer of the admiralty was, that it should be paid from the 29th of June to the 24th September, the day on which the treaty was received. He confessed, that he had no hesitation in signing the paper for the increase, and should do the same thing if the paper were again put before him. In a private case any individual would have had a right to go before a court of justice to enforce the demand. The policy of making the demand certainly lay with his hon. friend, but it was a matter of right for the commissioners to grant it.

Mr. *Jones* said, the only question was, whether we were or were not in a state of hostilities. It had been urged, that we were not at war, because the noble admiral was sent out to negotiate; but from the moment the massacre at Bona took place, the dey of Algiers was required to deliver up all the slaves, or his city would be bombarded. He thought the hon. secretary, therefore, was entitled to the war salary; and he was sorry that his majesty's ministers had come forward to say, that they intended to make any sacrifice of their income. He thought that public men were by no means overpaid; and he regretted that they had yielded to the theoretical and wild opinions of demagogues, who would assume to themselves the merit of having wrung such sacrifices from them by their clamours.

Sir G. *Hope* impressed upon the House the justice of considering, not that the war lasted two days only, but that, if lord Exmouth had met with any of the Algerines at sea, he would have felt it his duty to attack them.

Admiral *Markham* said, after all he had heard on the subject, his opinion remained unaltered, that the hon. secretary was not entitled to the war salary. If this was to be called a state of war, what was to be called an armament? An expedition might be composed not of ships of the line, and sent to some of the small forts on the coast of Africa, and this was to be considered a state of war. An armament did not include a state of war. In the case of Nootka Sound (which was in some respects similar to that of Algiers, because the Spaniards then, as the Algerines recently, had been guilty of aggressions) there was an armament. Was it to be supposed that if the order in council had existed at that period, the hon. secretary of that period would have been entitled to demand an additional salary? It was obvious, that the expedition required no additional trouble: there was nothing to be completed but the armament. The lords of the admiralty would have done much better if they had promoted the officers who commanded bombs, which had been the practice on former occasions. Neither the House nor the country would have quarrelled with them for rewarding the services of those officers in the way they merited: but it was impossible to approve of their conduct in granting an additional salary to their secretaries for a war which lasted only two days.

Mr. *Tierney* said, that in point of amount the matter before the House was very small, but that in point of principle it was of the utmost importance. It was calculated to create the greatest disgust, to see this additional salary demanded as a right, and conceded as such by the lords of the admiralty.—Most undoubtedly they possessed a discretionary power, which they ought to have exercised. The lords of the admiralty had evidently referred only to the order in council, issued on the 15th January, 1800, and had, upon that document, come to the conclusion that the honourable secretary was intitled to his war salary, consistently with its letter and spirit. No notice whatever was taken by them, of any other order in council. But what he contended for was, that the admiralty lords ought to have, and must have, a

discretionary power, beyond the mere general instruction conveyed by that order. He meant, that if they, upon mature consideration, deemed it expedient for the public service, to reduce the salary (he would say, from three to two thousand), they had the power to do so. The order in council, in fixing the salary, simply assumed its maximum, in a similar way to what was adopted by that House, in voting a sum not exceeding a certain amount; but if it appeared there was no occasion for so much as might be voted, ministers were expected to exercise that discretion, which he insisted belonged equally to the lords of the admiralty.—When the honourable secretary went to the navy board and demanded his war salary, he thought that board would have been justified in asking what blustering fellow it was that so clamorously insisted upon his right; certainly they were justified in asking the admiralty whether it was really a time of war, not whether a shot had been fired here or there, and whether any and what increased duties had devolved upon the honourable secretary. To the application of the navy board, the lords of the admiralty returned an answer, that the allowance of a war salary was consistent (he begged the House would mark the expression) with his majesty's order in council. In his opinion, they ought to have construed that order in favour of the country, and not in favour of the hon. secretary; they should have borne in mind, that the penalty was to fall upon the people of England; and unless they could show that it was a time of war, in the common acceptation of that term—unless they could show that the proposed increase was earned by any additional labour of the hon. secretary, he contended they had no sufficient ground to authorize the transaction. As to the question, whether it was really a time of war, it would be wasting the time of that House, it would be an absolute mockery, to argue upon it. With respect to the additional labour created; the modesty of the hon. secretary did not allow him to insist upon that point, for, in fact, it amounted to nothing. There were five sail of the line, not one of which was put in commission for that service; there were five frigates, not one of which was put in commission for that service; there were five sloops, not one of which was put in commission for that service; and there were five bombs, not one of which was put in commission for that

service. He should like to know then, in what consisted his additional labour, unless it was contended that his office was a sinecure in time of peace? He really could not help viewing with disgust (he could find no other word expressive of his feeling) the manifest endeavour of the lords of the admiralty to strain the point as far as possible to put money in the hon. secretary's pocket. They could not go further; the date of the Prince Regent's order for fitting out the expedition, was on the 29th of June, and the hon. secretary received his salary up to the 23d of September, though the Gazette containing lord Exmouth's official dispatch appeared on the 14th. [Mr. Croker here observed, that the ratification of the treaty with the dey of Algiers did not reach this country till the 23d.] Mr. Tierney said, he hoped the whole House had distinctly heard the answer of the hon. secretary. It now appeared, that, though the lords of the admiralty knew a peace was signed with the dey of Algiers, though not actually ratified, they continued to sanction a measure which might procure, for a few days, a few pounds more for their secretary. The action was fought on the 27th, and the treaty of peace concluded on the 28th. But that intelligence was not enough; and if the vessel bearing the ratification had been detained longer at sea, or if it had foundered, and another vessel had been sent to bring home the ratification, upon the same principle, the hon. secretary's war salary might have been continued two or three months longer. Would the House bear so monstrous a doctrine; and, if the House could bear it, would the country? He was prepared to maintain, that in any fair and liberal construction of the order in council, the hon. secretary's increased salary had no right to extend beyond the 26th of July, the day on which the expedition sailed, commencing from the 29th of June, when the order for fitting it out was issued, unless, indeed, the hon. gentleman meant to make a charge for his anxiety of mind during the interval. From that day no additional labour could exist, and from that day therefore, at least, no additional reward ought to have been given. When the country heard the whole details of this transaction, it would be able to form a pretty exact notion of what they might expect from ministers in the way of economy and retrenchment. They had shown what their real sentiments were, by their actual practices. Their

temper was now manifest. Wherever they could find an opportunity of laying out the public money, had they proved any disposition to husband it? Even here they had strained a point to the utmost, and the six lords of the admiralty, with their secretary, could not get up a little expedition to beat the dey of Algiers without this augmentation of 220*l*. The hon. secretary, indeed, had begged the House not to suppose that he took the money for the sake of the money; and as he said so he must believe it; but for himself he could only say, that if he were to ask any person for 220*l*. it would certainly be for the sake of getting it. He remembered, last year, when the question of the hon. secretary's salary was before the House, he (Mr. Croker) complained that it had been forced upon him, and that he absolutely begged and prayed they would not compel him to accept the 4,000*l*. a year. That was very good, so far as it went; but the hon. secretary had now seen his error, and was trying to fetch up his lee-way as fast as he could. Perhaps he was aware that a day of voluntary contribution to the wants of the country was fast approaching, and as it must come, he thought it prudent to prepare for it: he was looking forward to a deduction of 10 or 20 per cent. and politically provided the means. It was always the usage of an experienced banker, on any alarm, to prepare the means for sustaining a run on his capital. Still, however, they were not to suppose that the 220*l*. was worth his acceptance. He (Mr. Tierney) contrived to keep his head above water as well as he could, and trusted he would not descend to any thing dishonourable; yet he should be very glad to catch 220*l*. After all, he was half inclined to believe that the hon. secretary and the lords of the admiralty had acted from resentment. A fine opportunity occurred for revenging themselves upon that side of the House, and the lords of the admiralty urged their secretary to demand his right, with an assurance that they would stand by him. "The House compelled us last year," said they, "to diminish your salary, and now they shall see what it is to quarrel with six admiralty lords." But suppose the admiralty lords had taken another day to consider of the subject, and at the end of their deliberations had told the hon. secretary they could not pay him his demand. What would have become of his right? To be sure he might have told them to find

another secretary, but he was far from suspecting the hon. gentleman of so much contumacy. For let it be recollected what he fell back upon, even when his war salary was withheld; upon one of the very best places, in time of peace, which the country had to give. He had, altogether, 3,500*l.* a year, and a good house to live in. What would the poor chancellor of the exchequer say to that. He had not so much, and yet surely he deserved it, if it was only for the great trouble that he must have lately had in issuing exchequer bills. He would not trouble the House with any more observations. They who could believe that the hon. secretary had a vested right, would, of course, vote against the motion of his noble friend; but they who thought otherwise must support that motion. The principle of the transaction was what he most condemned, and the principle was such, that there could be no person, in doors or out of doors, man, woman, or child, but must allow that the lords of the admiralty with lord Melville at their head, had entirely forfeited all claim to public confidence. He said it in their presence, and took that opportunity of saying it, because he presumed that before the division they would of course withdraw.

Lord Castlereagh said, he would trouble the House with a very few observations. He had, in common with the House, felt great satisfaction at the numerous jokes and pleasantries which the right hon. gentleman had thrown over the subject; but at the same time he must say, that he had never before heard him labour so hard in argument. The right hon. gentleman had talked of the disgust which he felt at the conduct of the board of admiralty. He (the noble lord) would retort the expression, and say, that he himself felt the most unmeasured disgust, and he was persuaded that it was a feeling in which the respectable part of the community out of doors participated, to see that spirit of detraction abroad against all public men; above all, to see that readiness in hon. gentlemen to appeal to the unsound part of the people, in order to depreciate and degrade the characters of public men. Of late a system had prevailed, not merely of attack upon the measures of ministers, but of endeavouring to extract or infer from their conduct something which might impeach the purity and honour of their intentions. How had the right hon. gentleman argued the present question? Nothing could be

more weak or unfair. The conduct of the lords of the admiralty had been such as they were bound both in law and justice to pursue. Lord Spencer's order of 1800 left them no option: it was imperative: nor was any thing left to their discretion, except the bare fact, whether there was peace or war. Could they—could the House for a moment entertain that monstrous doctrine, to which nothing but utter desperation of all reasonable argument could have driven the right hon. gentleman—that it was within the discretion of the board of admiralty to lessen, at their pleasure, the salaries of the officers, civil or military, of their establishment? As well might it be contended, that the commander in chief had the power of abridging the income of the officers of the army. Nothing but a dearth of all fair grounds of attack could have induced the right hon. gentleman to have recourse to such a wretched fallacy. As to the real question, whether it had been peace or war, it was one of easy solution; he was ready to meet it fairly, and he must say, that if the noble lord had not been far more impatient to procure, at all events, a vote of censure, than he was anxious to investigate whether any matter for censure really existed, he would have moved for papers which would have enabled him to see more clearly the proper line for him to pursue. But no: censure was wanted, not a fair judgment; and therefore the expedition itself was to be degraded rather than the noble lord's motion should be lost. Algiers was now called a petty state; he should like to know when a state began not to be petty. What precise magnitude of a state with which we might be in a relation of hostility, was requisite to entitle that relation to be considered in the light of actual war? Was the language now used with respect to Algiers, for the purpose of laying a trap for public men, and requiring them to enter into a useless discrimination between the various degrees of importance of a state which should entitle a contest with it to this or that appellation? What was the fact? Duty to the English flag; duty to the honour of the English character; duty to the civilized principle throughout the world, made a war with Algiers at once lawful and necessary. That war, once determined upon, was not to be settled, except on certain conditions, which were absolute *sine qua non*s. The gallant admiral, therefore, though in one sense he carried with him

the alternative of war or peace, yet, from the nature of the case, could not be supposed to go out for any purpose but for battle. The body of his instructions contained these principles and these conditions: nay, he was directed in express terms to consider as enemies all ships of the Algerines which he should meet at sea, and was ordered to destroy them wherever found. That the noble admiral himself conceived that he went out to fight rather than to negotiate, might be gathered from the circumstance, that he allowed only three hours for the consideration of the conditions. Such were some of the circumstances which the noble lord would have learned, if he had been anxious to show himself a man of business, instead of a man of crimination. The dispatch of the gallant admiral had been quoted for one purpose; he (lord C.) would now refer to it for another: and certainly he could not see in that dispatch anything to justify the surmise, that but little labour had been expended by the board of admiralty: on the contrary, he saw that the gallant admiral, even in the midst of the joy of his recent and splendid achievements, did not lose sight of those extraordinary exertions which had, according to his own account, so contributed to his victory. He had expressed himself grateful that so efficient a fleet had been consigned to his use. The fact was, that very great exertion had been made by the admiralty for the purpose of sending out a powerful expedition. The former ships in which the noble admiral had performed the first voyage to Algiers were completely dismantled: and new ships were furnished and equipped for the object of the new enterprise. And what was all the present outcry raised about? It was for the enormous sum of 220*l*. He was ready to admit that government owed to the country a duty of rigid economy: but he was sure that nothing could appear less grave, less important, less beneficial, in the eyes of the country, than the laying hold of so insignificant a thing as this trifling increase of salary, in order to excite a spirit of discontent and distrust against the ministers of the crown.

The Hon. Mr. *Lamb* conceived that the present was not merely a question of war or peace, but whether the war was one of that sort which came within the true intent and meaning of the order in council, and which fair and honourable men could agree to have been contemplated by

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those whose object had been to give increased remuneration to increased services. It might be consistent with the letter of the order in council issued for the guidance of the lords of the admiralty to consider the expedition against Algiers as a war, but certainly it was not consistent with its spirit. What! should it be said that there was no difference between a war of two days, and a war where our fleets covered every sea, and blockaded every port? It was a war perhaps, for there had been an expedition and a battle, but was such quibbling, such special pleading, to be adopted against the best interests of the country? In his opinion it was utterly impossible to support the transaction upon those grounds. The noble lord had imputed to that side of the House a desire to traduce and degrade the character of persons filling high official stations; for himself, he disclaimed any such disposition, and he could disclaim it for those by whom he was surrounded. He thought, on the contrary, that any deficiency of dignity, of importance, or of influence, that attached to eminent and responsible offices was an evil in itself, and that it would be most impolitic to attempt to produce it; but at the same time that House could not prevent offices from being degraded by those who filled them. They could establish, that the situation should not degrade the man, but they could not secure the man from degrading the situation. The hon. secretary seemed to think that it was impossible for him not to make the demand he did. In his (Mr. *Lamb's*) opinion the hon. secretary had judged ill. He appeared to have forgotten, what ought always to be present to the minds of public men, that malignity is ever on the watch to lay hold of the faults of individuals in high stations, and to impute even their best deeds to the worst motives. It was well known that public characters, with what ever integrity and principle they might act, could not hope to escape misrepresentation and aspersion; it was the common lot of greatness; but they should at least take care that the envy, the obloquy, the reproaches, they excited, should have no mean, low, or sordid foundation; and that even the errors, if any, which might be discovered in their conduct, should have somewhat of a magnanimous nature. He thought that principle had not been attended to in the present instance, and therefore he should vote for the motion of the noble lord.

(2 D)

Mr. *Barclay* said, he was as anxious as any one to see economy and retrenchment carried into effect, and trusted he had always been found on that side. Though, however, his private opinion respecting the policy of taking the war salary might be different from that of the hon. secretary, yet upon the question of his right to receive it, he could not support the motion of the noble lord.

Mr. *W. Smith* wished to make one remark. He required to be satisfied as to the real ground on which the House was to vote in this business. The hon. secretary and the lords of the admiralty were directly at issue, as to the main point of the case. The secretary had stated, that he should not have considered the expedition to Algiers, as a war, and consequently should not have demanded his salary, if there had been no battle; the gallant admiral, however, stated broadly, that the war commenced as soon as the order for an expedition was issued. This point ought to be settled one way or other before the House came to a vote; and surely the hon. secretary was the fairest judge, at least he could not be supposed to understate his own claim. He considered the battle to have been the war; the battle was a business of two days; let him therefore have his claim, that is, the salary of two days of war. The noble lord who had just spoken had accused the opposition of making an appeal to the unsound part of the people. Mr. *Smith* said, he believed, that never was a charge more unfounded than such a charge as this brought against this side of the House as a body: and as to individuals, he could say, that no man of that opposition, no man in the House, not excepting the noble lord himself, was less likely to make such an appeal than the noble person who had brought forward the present motion. Indeed, the charge was not only unfounded, but, so applied, was perfectly ridiculous.

The House divided :

For the motion..... 114

Against it 169

Majority against the motion...—55

List of the Minority.

Abercrombie, hon. J.	Baillie, J. E.
Althorp, visc.	Baring, sir Thos.
Anson, sir G.	Barnett, James
Atherley, Arthur	Birch, Jos.
Bastard, E. P.	Brand, hon. T.
Bolland, John	Brougham, H.
Bennet, hon. H. G.	Burdett, sir F.

Burrell, Walter	Morland, S. B.
Burrell, hon. P. D.	Morpeth, viscount
Calley, Thos.	Moore, Peter
Calcraft, John	Newman, R. W.
Calvert, C.	Neville, hon. R.
Carew, R. S.	Newport, sir John
Carter, John	North, Dudley
Caulfield, hon. H.	Nugent, lord
Cavendish, Lord G.	Ord, Wm.
Cavendish, hon. H.	Ossulston, lord
Curwen, J. C.	Paget, hon. C.
Deerhurst, Lord	Porcher, J. Dupree
Dickinson, Wm.	Peirse, H.
Duncannon, visc.	Phillips, G.
Dundas, hon. L.	Piggott, sir A.
Dundas, Charles	Ponsonby, rt. hon. G.
Ebrington, visc.	Ponsonby, hon. F. C.
Elliot, rt. hon. W.	Power, Richard
Fane, John	Prittie, hon. F. A.
Fazakerley, S. N.	Proby, hon. capt.
Fergusson, sir R.	Pym, Francis
Fitzgerald, rt. hon. M.	Ramsbottom, John
Fitzroy, lord John	Ramsden, S. C.
Folkestone, visc.	Ridley, sir M. W.
Frankland, Robt.	Romilly, sir S.
Fremantle, Wm.	Russell, lord Wm.
Gordon, Robt.	Russell, lord G. W.
Grenfell, Pascoe	Russell, lord J.
Gurney, Hudson	Russell, Robt. G.
Hammersley, H.	Saville, Albany.
Hamilton, lord A.	Scudamore, R.
Hamilton, sir H. D.	Sharp, Richard
Heathcote, sir G.	Sefton, earl of
Heron, sir Robt.	Smith, John
Howard, hon. W.	Teed, John
Howorth, H.	Thompson, Thos.
Hughes, W. L.	Tavistock, marquiss
Hurst, Robt.	Taylor, C. W.
Jervoise, G. P.	Tierney, rt. hon. G.
Knox, hon. Thos.	Vernon, Granville
Lamb, hon. W.	Wood, Thos.
Lambton, J. G.	Wright, J. Atkins
Latouche, Robt. jun.	Walpole, hon. G.
Lytelton, hon. W. H.	Waldegrave, hon. W.
Lockhart, J. I.	Warre, J. A.
Methuen, Paul	Webb, E.
Macdonald, James	Wilkins, Walter
Mackintosh, sir J.	Wynn, C. W.
Markham, adm.	
Martin, H.	TELLERS.
Martin, John	Milton, visc.
Monck, sir C.	Smith, Wm.

PERSONS UNDER SENTENCE OF DEATH IN NEWGATE.] Mr. *Bennet* said, that when he animadverted last session on the delay which had taken place on the part of the Crown in the case of individuals under sentence of death, he conceived from the expression which the House gave to their feelings on that occasion; a considerable time would elapse before an opportunity should again occur which might render it necessary to call the attention of the House to the subject. Having how-

ever, lately had occasion to visit the prison of Newgate, he found that there were many persons there upon whom sentence of death had been passed three sessions ago, and no determination had yet been come to on the report relating to them. At this moment there were confined in Newgate under sentence of death no fewer than 73 men and 15 women. It was impossible to avoid a feeling of indignation at the scandalous remissness which had taken place in laying the reports transmitted in the cases of those prisoners before the individual at the head of the government of this country. He did not mean to say that this proceeded from any unwillingness on the part of that individual to receive such reports. He believed from the proverbial tardiness of the noble lord whose office it was to lay the reports before the Prince Regent, that the delay would be found to have arisen with him. He would repeat, that the lord chancellor's tardiness and procrastination were become proverbial. There was no case in which any member could in his inquiries come across the path of that noble lord in which he would not find the utmost tardiness and procrastination. The right hon. gentleman opposite had last year promised that no practical inconvenience of a similar kind should again be felt, and yet this year they had a renewal of it. The practical inconvenience in this case was not so much the sufferings of the individuals, as the blot on the administration of justice of the country. How many of these persons would suffer the penalty of their guilt he could not know, but some would. Of the hundreds, nay the thousands, whom the cruel pleasure of witnessing the sufferings of their fellow-creatures would draw to their execution, not one probably would be acquainted with the crime for which they suffered. The executions, therefore, would not serve the purpose for which alone punishments were intended—to deter from the commission of crime. He should therefore move, “That there be laid before this House, a return of the number of persons now under sentence of death in Newgate; specifying the crimes of which they were convicted, as well as the date of their respective convictions.”

Lord Castlereagh said, that the hon. member who had made this motion, must forgive him if he said, that he could not believe that he was serious in his desire of obtaining the information for which he

thus moved, without giving any notice to the House. A more inflammatory speech than that of the hon. member he had never heard within the walls of parliament; nor a speech more calculated to produce dissatisfaction in the minds of the people as to the mode in which justice was administered. The hon. member, if he really wished for information, and not to make an opportunity for casting unfounded aspersions upon any individual, would do much better to give notice of his motion. But the sole object of the hon. member seemed to be, to come forward to lay at the door of an illustrious and distinguished individual a charge that he always interposed delays to the administration of justice. Now if there was ever a man whose character was respected, both by those who acted with him politically, or those who opposed him—if ever there was a man who commanded the most unequivocal testimony of approbation of his character, from those who had not the least motive for personal partiality or predilection, it was that very distinguished character against whom the hon. gentleman had thought fit to hazard his unfounded aspersions. Although he was not possessed of accurate information on the subject, yet he would take upon himself the responsibility of saying, that the delay in the case now alluded to, did not rest with the lord chancellor. It was the recorder whose duty it was to call upon the lord chancellor with the report, to be submitted to the council, and it was the recorder's duty, in the mean time, to inquire into all the facts relating to each case. He therefore must intreat the hon. member, if he took up this subject with the intention of doing good, and not for the purpose of promoting delusion, to give notice of his motion, and not to put the House in the disagreeable situation of hearing unfounded charges made against persons filling the highest situations, with the greatest honour to themselves and advantage to the country.

The Attorney General said, he did not rise to defend the noble lord alluded to, for that was unnecessary, but because he was enabled to state some particulars to the House which might throw light on the subject. If the hon. gentleman had drawn his information from persons capable of informing him correctly, he would have found how the delay had arisen. Why, the number of persons waiting for the recorder's report accounted at once for

the delay. The hon. gentleman had said that 88 persons in all were lying under sentence of death in Newgate. In former times, long within his recollection, the sessions at the Old Bailey commenced on the Wednesday, and the judges seldom had attended after Saturday. But the sessions now generally lasted a fortnight and longer, and during the whole time the recorder was busied the greater part of the day, either in attending on the judges, or in trying cases himself. It was a circumstance not generally known, and he was happy to have an opportunity of stating it, that no part of the administration of justice during this long reign had been attended to with so much scrupulous anxiety, as that regarding the manner in which those unfortunate persons remaining under the sentence of the law were to be disposed of. After the conviction and sentence, it was the practice of the recorder to examine all the sources from which light could be thrown on the character of the prisoners; to weigh all the circumstances which might have induced witnesses to go in their evidence beyond the due bounds; and finally, having formed his own opinion, to give a detailed report of the case. He had some days ago had an opportunity of speaking with the recorder on this subject, when he had stated his regret at not being able to prepare himself for the report which it was his duty to give. He had stated the difficulties he experienced from the immense labour of the inquiries, and that of the labour of the sessions; and that at that period there were three score of cases unreported.

Sir *M. W. Ridley* regretted any circumstances that occasioned delays in justice. Certainly, they were indebted to the hon. member for the notice he had taken of so important a branch of public administration; and he did not think the grounds assigned of sufficient weight. Whatever might be said respecting dilatoriness in the lord chancellor in the public business, he could say, from his own personal knowledge of him, that the last proceeding in which the noble lord could be dilatory would be in a case in which he might have to recommend mercy.

Mr. *Abercrombie* was not disposed to make any objection to the explanation of the attorney-general, but merely to say in the absence of his hon. and learned friend (Sir *S. Romilly*) who had frequently, but unfortunately without success, submitted

to the House alterations in the rigour of the law as to capital punishment; that the circumstances now stated, afforded the strongest argument in favour of these merciful alterations; for if the law did not impose such severe punishments, it appeared that there would not be such delay, because the principal end of the recorder's report was, to state to a higher quarter, whether there were any cases in which capital punishment might be commuted for one less severe.

Mr. *Bennet* said, he did not impute want of ability, honesty, integrity, propriety, acuteness of decision, or intelligence in any of the decisions of the lord Chancellor. He had only complained of delay. As to the number of persons under sentence of death, that might be a reason why the last cases were not reported, but it could be no reason why the first were not laid before the Prince Regent. If there was any inconvenience attending the execution of the law on this subject; it was high time that that inconvenience should be remedied—it was high time that the punishment should follow the offence. What had made him so eager to bring the subject forward that night without notice was, that he could not have an opportunity to-morrow, and the sessions began on Wednesday. But it was not merely the number of persons under sentence of death which called for notice;—at this present moment there were more than 200 persons in Newgate, under sentence of transportation. Wherever he had met the government in the execution of the law, he had constantly met delay. He would appeal to the members for London, whether they had not frequently complained on this subject to the government, without getting any redress? He assured the noble lord, that he should neither be deterred by his compliments nor his censure from doing what he thought the public interest demanded of him.

The motion was then agreed to.

NAVY ESTIMATES.] The House having resolved itself into a committee of supply,

Sir *George Warrender* rose to propose the Estimates for the ordinary service of the Navy, which had been brought to as near the lowest amount of the proposed peace establishment as was possible. The number of men which he had to propose was 19,000, of which number the royal marines were 6,000. The expense was

calculated at 6*l.* 6*s.* per man a month, which was lower than the expense of the last year, when it was calculated at 6*l.* 15*s.* 9*d.* The estimates were proposed for six lunar months only which left the subject open to the future consideration of the finance committee and of the House. He concluded by moving, "That 19,000 men be employed for the sea service for six lunar months, from the 1st of January 1817, including 6,000 royal marines."

Mr. *Tierney* expressed himself satisfied with the intention which ministers seemed to avow, of keeping up a respectable naval force, and was particularly anxious that the marine corps should be attended to. In 1792, he observed the sum voted for seamen was 4*l.* per man; it had afterwards risen to 7*l.*, and it had now fallen to 6*l.* 6*s.* He was glad that the charge had been lowered, and he hoped, that 6*l.* 6*s.* would be found sufficient. He recollected, that though, in 1792, the sum voted was 4*l.* per man, yet it was so much under the mark, that an additional vote was given to cover the actual expense. He hoped that ministers were perfectly satisfied, that the sum mentioned by them would meet the actual expense.

Sir *G. Warrender* observed, that the proportion of marines to the naval force was much greater than on any former occasion. In the year 1792 there had been 10,000 men, of which 4,400 were marines; in 1800 there had been 18,000, of which 4,600 had been marines. As to the estimated allowance per man, it was formed after the most mature consideration, though it was not possible exactly to foretel the actual expense.

The Resolution was agreed to; as were the following: viz. 216,600*l.* for wages of the said 19,000 men for six months; 233,700*l.* for victuals; 245,100*l.* for wear and tear of ships; and 22,800*l.* for ordnance for sea service.

MALT AND PENSIONS DUTIES BILL.]

The House having resolved itself into a committee on this Bill the chancellor of the exchequer proposed that the following clause should be added thereto:

"And whereas his royal highness the Prince Regent has been graciously pleased to direct certain sums to be contributed and paid, from the civil list revenue, in aid of the public service of the year 1817. And whereas many persons holding offices and places in his majesty's service,

and others having or holding pensions or other emoluments derived from the public, are desirous of contributing proportions of their respective official incomes, salaries, pensions, or other emoluments, for the same purpose;—be it therefore enacted, that it shall be lawful for the commissioners of his majesty's treasury of the United Kingdom of Great Britain and Ireland, or any three or more of them, or for the lord high treasurer of the United Kingdom of Great Britain and Ireland for the time being to give such directions, for one year, commencing the fifth day of April 1817, to the officers of the exchequer, and of the several departments of the civil list of Great Britain respectively, as may be necessary for giving effect to the most gracious intention of his Royal Highness in such contribution, and for executing the intentions of such other persons as aforesaid; and no deduction shall be made, or fee, emolument or allowance taken, by any person retaining, receiving, or paying any such contributions as aforesaid."

Mr. *H. Martin* asked, whether it was the intention of ministers to propose that a voluntary contribution should be paid by persons in office, or that an assessment should be imposed in proportion to their salaries.

The *Chancellor of the Exchequer* said, it had not been in the contemplation of his majesty's government to propose any compulsory measure, but to leave it to persons in office to make what contribution they might think proper. He certainly never entertained the idea of fixing any rate of proportion for the regulation of such contributions.

Mr. *Brougham* certainly understood, from the speech made by the noble lord a few days ago, that it was intended to levy a kind of tax on persons in office. He not only thought that an assessment was to be imposed, but that its proportion was determined on at the rate of two shillings in the pound.

Lord *Castlereagh* was confident he never meant to state that any rate would be proposed, and did not think he had said any thing to justify such a conclusion. What he believed he had stated was, that ministers wished to place themselves, by their own voluntary act, under the same burthens from which they had been relieved by the repeal of the income tax. With respect to persons in office, there was no compulsory measure whatever in view.

Mr. Gordon asked, whether it was intended to propose any reduction in the Windsor establishment? He would not have noticed this delicate subject, were it not notorious that many of the expenses of that establishment were, to say the least of them, unnecessary, and could not be considered as any mark of respect to the illustrious personage who was the object of them. Indeed, many of these expenses, under the peculiar circumstances of the case, appeared to partake more of the nature of mockery than respect.

The *Chancellor of the Exchequer* stated, that motives of delicacy withheld him from answering the hon. gentleman's question, or entering into any explanation on the subject to which he had alluded.

Mr. W. Smith said, he had understood from the speech of the noble lord, that it was intended to levy a duty on the salaries of persons in office, and not a voluntary contribution, as it was now explained to be.

Mr. Brougham was convinced that, whether the contribution was to be voluntary or not, every man would regret to see it fall heavily on persons holding inferior offices, who were in general very inadequately remunerated for their labour. If the measure had come before the House as a tax, this consideration would doubtless have been attended to; and he hoped that, in any arrangement which might be made, care would be taken to press very tenderly on offices to which small salaries are attached.

Lord Castlereagh again stated, that the contribution of every individual would be voluntary, and that from the lower offices none would be raised.

The clause was then agreed to.

HOUSE OF LORDS.

Tuesday, February 18.

REPORT OF THE SECRET COMMITTEE OF THE HOUSE OF LORDS RESPECTING CERTAIN DANGEROUS MEETINGS AND COMBINATIONS]. The Earl of Harrowby, President of the Council, presented the Report of the Committee of Secrecy, which he moved should be read. It was accordingly read by the clerk at the table; and is as follows:

By the LORDS COMMITTEES appointed a Secret Committee to inquire into certain Meetings and Combinations endangering the Public Tranquillity,

and to report to the House as they shall see Occasion:

Ordered to report, that the Committee have met, and have proceeded in the examination of the papers referred to them.

Their attention was in the first instance directed to those which relate to the metropolis; and they have found therein such evidence as leaves no doubt in their minds that a traitorous conspiracy has been formed in the metropolis for the purpose of overthrowing, by means of a general insurrection, the established government, laws, and constitution of this kingdom, and of effecting a general plunder and division of property.

In the last autumn various consultations were held by persons in the metropolis engaged in this conspiracy. Different measures of the most extensive and dangerous nature were resolved upon; partial preparations were made for their execution, and various plans were discussed for collecting a force sufficient for that purpose. But at a subsequent consultation another plan was adopted, which was, to get a great number of men together to see what force could be raised; and it was agreed that the best way to get them together would be to call a public meeting.—Spa-Fields was fixed upon as the place affording the greatest facilities for entering the town, and attacking the most important points in the city. In pursuance of this design, and in order to assemble in the neighbourhood of London a great number of the poorer classes of the community, and particularly of those in whose minds the pressure of the times might be supposed to have excited disaffection and discontent, advertisements were inserted in newspapers, and hand-bills were industriously distributed, inviting the distressed manufacturers, mariners, artisans, and others to assemble at that place on the 15th of November. A large body of people accordingly assembled at the time and place prescribed. The most inflammatory language was there held to the multitude, having a direct tendency to excite them to outrage and violence; and the meeting was in fact followed by some acts of plunder and riot. A petition to his royal highness the Prince Regent was agreed to at that meeting, and an adjournment to Palace-Yard on the first day after the meeting of parliament was proposed; but the second of December was subsequently fixed upon (on the proposition of one of the persons concerned in the plans already

described) for another meeting in Spa-Fields; and that day appears to have been determined upon for the execution of their design.

Various schemes were formed for this purpose. Amongst them was a general and forcible liberation of all persons confined in the different prisons in the metropolis; into some of which, in order to facilitate its execution, an address to the prisoners was introduced, assuring them that their liberty would be restored under a new government; announcing the intended attack upon all the prisons for that day; apprizing the prisoners that arms would be ready for them; exhorting them to be prepared with the national tricolor cockade, and to co-operate by the most violent and sanguinary means to ensure success.

It was also proposed to set fire to various barracks, and steps were taken to ascertain and prepare the means of effecting this purpose. An attack upon the Tower and Bank, and other points of importance, was, after previous consultations, finally determined upon. Pikes and arms to a certain extent were actually provided, and leaders were named, among whom the points of attack were distributed. It further appears that the interval between the two meetings was employed with unremitting assiduity by some of the most active agitators in taking regular circuits through different quarters of the town. In these they either resorted to the established clubs or societies, or laboured in conversations, apparently casual, at publick houses, to work up the minds of those with whom they conversed into such a state of ferment and irritation as to render them, when collected in sufficient numbers, for whatever ostensible purpose, the fit and ready instruments for the execution of any project, however rash and desperate. In the course of these circuits one of their chief objects appears to have been to take every opportunity of attempting to seduce from their allegiance the soldiers of the different guard and at the barracks. The principal persons concerned in this plan actually proceeded to Spa-Fields on the second of December, some of them with concealed arms, and with ammunition previously prepared; they had also provided themselves with tricolor flags, and with a standard bearing the following inscription: "The brave soldiers are our brothers; treat them kindly;" and also with tricolor cockades, evidently adopted as the signal

of revolution. After much inflammatory language a direct invitation was by one of these persons addressed to the multitude to proceed immediately to actual insurrection. And it appears quite certain, that the acts of plunder which were perpetrated for the purpose of procuring arms, and the other measures of open insurrection which followed, were not accidental or unpremeditated, but had been deliberately preconcerted, as parts of a general plan of rebellion and revolution. There appears also strong reason to believe that the execution of those projects at that particular time was expected by some of the associations in distant parts of the country. The conspirators seem to have had the fullest confidence of success; and a persuasion has subsequently been expressed amongst them, that their plans could have been defeated only by casual and unexpected circumstances. Even after the failure of this attempt, the same plans appear not to have been abandoned.

Your committee are deeply concerned to be compelled, in further execution of their duty, to report their full conviction that designs of this nature have not been confined to the capital, but have been extended and are still extending widely in many other parts of Great Britain, particularly in some of the most populous and manufacturing districts.

At the meeting of the second of December in Spa-Fields, that part of the assembly which had not engaged in the acts of plunder and insurrection before-mentioned, came to a resolution to adjourn the meeting to the second Monday after the meeting of parliament, namely, the tenth of February; and it appears by the papers referred to the committee, that meetings in various parts of the country, conformably to a plan settled by the leading persons in London at an early period, were intended to be held on the same day.

It appears manifest that the persons engaged in various parts, both of England and Scotland, in forwarding the plans of revolution, have constantly waited for the example of the metropolis. Intelligence of the event of the meeting there on the second of December was anxiously expected; and as the first report of the beginning of the disturbance excited in a high degree the spirits of the disaffected, so its speedy suppression produced the expression of strong feelings of disappointment. Had it even partially suc-

ceeded, there seems much reason to believe that it would have been the signal for a more general rising in other parts of the kingdom. Since that time it appears to be the prevailing impression amongst the leading malcontents in the country, that it is expedient for them to wait till the whole kingdom shall, according to their expression, be more completely organized, and more ripe for action.

What is meant by completely organizing the country is but too evident from the papers before the committee. It appears clearly that the object is, by means of societies or clubs, established or to be established in all parts of Great Britain, under pretence of parliamentary reform, to infect the minds of all classes of the community, and particularly of those whose situation most exposes them to such impressions, with a spirit of discontent and disaffection, of insubordination, and contempt of all law, religion, and morality, and to hold out to them the plunder and division of all property, as the main object of their efforts, and the restoration of their natural rights; and no endeavours are omitted to prepare them to take up arms on the first signal for accomplishing these designs.

It is on these grounds that your committee have been led to look with particular anxiety to the formation, principles, and conduct of those societies or clubs by which the ends of the disaffected have been hitherto so much forwarded, and are expected by them to be finally accomplished. Many of these societies pass under the denomination of Hampden Clubs. Under this title societies of very various descriptions appear to have been formed, all professing their object to be parliamentary reform. This name and their professions may have induced many persons to become members of such societies who may not be aware of the ultimate intentions of many of their leaders; and the committee would by no means ascribe to all these societies the same practices and designs which they have found to be but too prevalent amongst a large number of them; but they find that, particularly among the manufacturing and labouring classes, societies of this denomination have been most widely extended, and appear to have become some of the chief instruments of disseminating doctrines, and of preparing for the execution of plans, the most dangerous to the public security and peace.

Others of these societies are called

Union Clubs, professing the same object of parliamentary reform, but under these words understanding universal suffrage and annual parliaments; projects which evidently involve not any qualified or partial change, but a total subversion of the British constitution.

It appears that there is a London Union Society, and branch Unions corresponding with it, and affiliated to it. Others of these societies have adopted the name of Spencean Philanthropists; and it was by members of a club of this description that the plans of the conspirators in London were discussed and prepared for execution.

The principles of these last associations seem to be spreading rapidly among the other societies which have been formed, and are daily forming, under that and other denominations in the country. Among the persons adopting these principles, it is common to disclaim parliamentary reform as unworthy of their attention. Their objects are avowed in a hand-bill dispersed by the society of that description in London, and in numerous other publications. These objects are, "A Parochial partnership in land, on the principle that the landholders are not proprietors in chief; that they are but the stewards of the public; that the land is the people's farm; that landed monopoly is contrary to the spirit of christianity, and destructive of the independence and morality of mankind."

The societies under these different names are so numerous, and so various, that it has been difficult to obtain a complete view of all of them, or to comprehend them under any general description.

The country societies are principally to be found in and in the neighbourhood of Leicester, Loughborough, Nottingham, Mansfield, Derby, Chesterfield, Sheffield, Blackburne, Manchester, Birmingham, and Norwich, and in Glasgow and its vicinity; but they extend and are spreading, in some parts of the country, to almost every village. In addition to all the arts of seduction, resort is also had to a system of intimidation, and threats are held out to those who refuse to join. Their combinations are artfully contrived to secure secrecy in their proceedings, and to give to the leading members undisputed authority over the rest. Oaths of secrecy have been frequently administered, some of which are of the most atrocious and dreadful import.

They do not, however, trust to this security alone to prevent discovery; their proceedings are seldom reduced to writing; they pass and are communicated by word of mouth. The more numerous meetings delegate all authority to a managing committee; and by that committee, and by meetings of delegates from the committees of different societies, every thing of importance is transacted.

The committees themselves are also cautious of reducing any of their proceedings to writing, communicating with each other only by delegates and missionaries.

It appears that, in some parts of the country, arms have been lately procured by individual members of these societies in considerable quantities, which can only have been done with a view to the use of force. Subscriptions are also generally required, which, although the amount paid by each individual may be very small, may produce, from the large numbers of the contributors, no inconsiderable fund.

The destructive objects which the leading members of these societies have in view are demonstrated by their publications and by their proceedings, all equally calculated to inflame the minds of the members, and in general of the poorer classes of the community. At the ordinary meetings of these societies, which are often continued to a late hour, their time is principally employed in listening to speeches tending to the destruction of social order, recommending a general equalization of property, and at the same time endeavouring to corrupt the morals of the hearers, and to destroy all reverence for religion. The landholder has been represented as a monster which must be hunted down, and the fundholder as a still greater evil; and both have been described as rapacious creatures, who take from the people fifteen-pence out of every quatern loaf. They have been told that parliamentary reform is no more than a half measure, changing only one set of thieves for another; and that they must go to the land, as nothing short of that would avail them. Another principal employment of their time is, to listen to publications of the same description as the speeches, containing the same doctrines, and leading to the same purposes; and the meetings are frequently terminated, particularly in London, by profane and seditious songs and parodies of parts of the liturgy, in

which the responses are chanted by the whole company. By such means, and by the profession of open infidelity in which some of the members indulge in their speeches, the minds of those who attend their meetings are tainted and depraved; they are taught contempt for all decency, all law, all religion and morality, and are thus prepared for the most atrocious scenes of outrage and violence.

Amongst the most effectual means of furthering these dangerous designs, the committee think it their duty particularly to call the attention of the House to the unremitting activity which has been employed throughout the kingdom in circulating to an unprecedented extent, at the lowest prices or gratuitously, publications of the most seditious and inflammatory nature, marked with a peculiar character of irreligion and blasphemy, and tending not only to overturn the existing form of government and order of society, but to root out those principles upon which alone any government or any society can be supported.

The committee cannot but consider the late attack upon his royal highness the Prince Regent, on his way from opening the present session of parliament, as an additional and melancholy proof of the efficacy of this system to destroy all reverence for authority, and all sense of duty, and to expose to insult, indignity, and hazard the person of the immediate representative of the sovereign, even in the exercise of one of the most important parts of his royal functions.

It appears to be an essential part of the system to take advantage of the opportunities afforded by public meetings, convoked either by the leaders of these societies, or by others, in the metropolis, and in populous places and districts, to address the multitude in terms of unprecedented license and violence, amounting even in some instances to an open declaration that, in case of non-compliance with their petitions, the sovereign will have forfeited his claims to their allegiance. These proceedings are subsequently printed and circulated, and thus become a fresh vehicle for sedition and treason.

By the frequency of these meetings, and by the new practice of continuing them (under various pretexts) by frequent adjournments, the minds of his majesty's well-disposed and peaceable subjects are held in a state of perpetual agitation and alarm. The appointment of such public

meetings in a variety of different places on the same day appears to be considered as the most effectual means of accomplishing the designs of the disaffected, and must evidently in a high degree embarrass and impede the exertions of all civil powers applicable to the suppression of disturbances, distract the attention of government, and oblige them so to subdivide and harass the military force which it may be necessary to call in for the assistance of the civil power, as to render it inadequate to the maintenance of public tranquillity.

Such a state of things cannot be suffered to continue without hazarding the most imminent and dreadful evils; and although the committee do not presume to anticipate the decision of parliament as to the particular measures to be adopted in the present emergency, they feel it to be their duty to express their decided opinion that further provisions are necessary for the preservation of the public peace, and for the protection of interests in which the happiness of every class of the community is deeply and equally involved.

The Earl of Liverpool moved, that the report be taken into consideration on Friday, and that the Lords be summoned.

Earl Grosvenor said, that he felt it impossible, and he thought their lordships must feel it impossible, to come to any determination upon the mere report of a committee, however unanimous that committee might be. He hoped they would see the propriety of requiring not only, that the report should be laid before them, but that all the papers and documents upon which that report was founded, should in like manner be submitted to the investigation of parliament. Whatever disaffection existed, or whatever outrages had taken place, he was persuaded the House would feel that the laws of the country were sufficient to put them down. No man could, he thought, be considered a friend to his country, who, without a case of the most urgent necessity to justify him, could recommend the adoption of measures injurious to the liberty of the subject.

The Earl of Harrowby said, that on this occasion the course had been adopted which had, under similar circumstances, been adopted on former occasions. He had always understood, that one of the objects of parliament in referring papers to a committee of secrecy was, that a greater degree of trust might be reposed

in such a committee than in one constituted in the ordinary way; and that it was to be left to the discretion of the committee whether the evidence ought or ought not to be laid on the table. In many cases it was obvious, that the production of the information on which the report was founded might have the effect of counteracting the objects which parliament might have in view in adopting this course of proceeding.

The House was ordered to be summoned for Friday.

PETITIONS RELATING TO REFORM, &c.] Lord Holland stated, that he had some petitions in his hand, grounded on the distressed situation of the country, to be presented to their lordships house. The first was from the lord mayor, aldermen, and livery of London. Notwithstanding the report which had been just read, he trusted the House would listen to the complaints of the people with indulgence, and the more especially in consequence of that report, would do nothing to discourage the exercise of the right of petitioning the two Houses of Parliament. Whatever might be the allegations and statements in petitions, if they were couched in respectful language, their lordships had always been willing to receive them. If there were, indeed, such practices as were stated in the report, then it was the policy of the House to receive with the utmost indulgence the expression of the opinions of petitioners, whatever those opinions might be, if the petitions were couched in respectful terms. He did not say this, because, in the petitions which he was about to present, there was any prayer to which he could not in any degree assent: but even if the prayer had been for annual parliaments and universal suffrage, it would be a calumny to say, that on that account merely, the petitioners had a design to subvert the laws and constitution of the country. His opinion was decidedly opposed to any such plan of reform as that; but when the people were in a state of such distress, looking to the right and to the left for relief, and formed erroneous opinions of what would best contribute to their relief, that error would be best pointed out by discussions in parliament; and if the one-half or one-fourth of what was stated in the report, was true, the ministers were deeply responsible for not assembling parliament at an earlier period. It was, however, matter of great satisfac-

tion, that at all the public meetings that had been lately held, the people had always agreed to petition parliament; and as long as they did thus agree to petition the legislature, it was a strong indication that the constitution was safe. The people, by thus petitioning, acknowledged that it was to parliament they ought to look for relief, and nothing could be so dangerous as an impression among the people that it was in vain to make their complaints to parliament. As to the petition which he now had to present, if there had been no other name to it but that which first appeared, it would be entitled to serious consideration. The name was Wood, the present lord mayor of London; a gentleman who not only held the situation of chief magistrate of the first metropolis in Europe, but had also united the suffrages of his fellow-citizens in his favour to an extent almost unprecedented, who had employed his well-deserved popularity in enforcing the laws, and had exerted himself as a magistrate in the suppression of disorder and tumult, certainly not less strenuously than those more in favour with the government. It was signed also by other aldermen, and by some of the livery, who, as they had shown by their conduct throughout their whole life, that no consideration would induce them to sacrifice the liberties of the people, had lately also proved that they were incapable of yielding up at the summons of clamour the real interests of their country. As to the existence of the evils chiefly complained of, he wished he could disagree with the petitioners. Some mention was made of the causes of these evils, but it was not now that the causes could be completely investigated. When, however, they in parliament talked of delusion spread among the people, they ought not to forget that delusions might be and had been practised on parliament itself on these subjects. The ministers had often said in parliament—"We foresaw all this; it is merely the natural effect of a transition from a state of war to a state of peace!" But had these consequences been foreseen at the time of a former peace, signed by the noble earl opposite; a peace very different in its terms from that which had now been concluded? The ministers now said, that they foresaw all this distress. If they did, then they practised a gross delusion on parliament and the public; for in the Speech from the throne, at the opening of the last session, they had stated, that the agricul-

ture, manufactures, and commerce of the country, were in a flourishing condition. They did not, therefore, foresee the present distresses as the natural effect of the transition; or if they did, they practised a gross delusion on parliament and the public. That these petitions were a true indication of the state of feeling in the country there could be no doubt. Never in his memory had the country been in such a state of distress, and it was natural that parliament should be called upon to adopt some measures for their removal. The petitioners here spoke to the House in a respectful and temperate tone; they disclaimed the wild and visionary scheme of universal suffrage, and also of annual parliaments, which he also disapproved, though without confounding that with the other. It was curious, that, though the subject had often been discussed in parliament, this scheme of annual parliaments and universal suffrage, as claimed on the ground that it was the right of the people by the constitution, had never been completely confuted, probably because it had always been considered as too absurd and groundless to need confutation; and he had no hesitation in saying, that he thought the grounds and principles on which this claim was made was more dangerous than the claim itself. The people had been told, that universal suffrage and annual parliaments were their right by the law and constitution of their country. Now, if he were called upon to point out one particular above all others, on account of which the people of this country were superior to the people of any other country that he had ever seen, he would mention that rooted respect for the laws for which the people of England were remarkable; and nothing, therefore, was more calculated to make a deep impression on them, than to be told that they were by law entitled to that which they were not permitted to enjoy. It was of the greatest importance, therefore, to convince the people, that the grounds and principles on which such visionary schemes rested were completely erroneous. As to universal suffrage, that was the wildest fancy that could possibly enter into the conception of any human being; and as to annual parliaments, the people were not entitled to them by any law, and more particularly not entitled to them by the common law. All the acts of parliament which had been referred to, from the earliest times down to the long parliament, including the act

of the 16th of Charles 1st, had for their object, not the limiting of the duration, but the frequent holding of parliaments. This was the object of all these acts, beginning with the 5th of Edward 2d; and, in one respect, he wished that our modern acts had more resemblance to them, for they were very short, hardly above four lines each. All of them spoke of parliaments to be frequently "holden," not frequently "chosen;" and even at present, the expression "holden" would apply rather to the assembling than to the choosing of parliaments. But when they came down to the time of the long parliament, and looked at the preambles of the acts, they would find, that the reasons applied to the frequent meeting, and not frequent choosing of parliament; and to whatever excesses the long parliament had at last resorted, it ought to be recollected, that several persons, the best acquainted with the principles of our constitution, such as Coke and Selden, were members of that parliament. It was true, that few of these early parliaments sat for more than a year; but even the parliament which passed the act of the 5th of Edward 2d, for the frequent holding of parliaments, sat for two sessions, and was itself prorogued, and the king was understood even then to have the right to prorogue.—Other opportunities would occur for the discussion of these points; but it appeared to him of importance not to suffer this opportunity to pass without throwing out these few observations. The prayer of the petition was for a reduction of the public expenditure, the abolition of sinecures and useless places, some extension of the elective franchise, and some alteration in the duration of parliaments. On these latter points he gave no opinion at present; but all men of sound judgment agreed, that reduction was necessary, to a much greater extent than had as yet been proposed by ministers. He was not, however, one of those who thought that no alteration for the better could possibly be effected in our system of representation. It was too much to say of any human institution, that it could not be amended: but when he considered the variety of opinions among those who called for parliamentary reform, he was under some apprehension that the object was not attainable at this moment, and that the subject was not in a state to enable even parliament to decide satisfactorily upon it. But, in the mean time, the attention of

the people ought not to be diverted from the object of diminishing the means of influence and corruption—a species of reform which might be immediately carried into effect. He was very far from agreeing with those who held out that no good could be done without parliamentary reform, though he admitted that some alteration in the system of representation might be beneficial, especially in the northern part of the British island. But reform would not pay the national debt, feed the hungry, nor prevent improvident wars. He had another petition to the same effect as the first, from the inhabitants of the ward of Aldgate; and a third from the burgh of Rutherglen. This last petition also prayed for reform, but chiefly for retrenchment, and stated our improvident wars as one great cause of the present distress, and to that assertion he requested the particular attention of the House. The present situation of the country was this:—We had a revenue almost beyond the endurance of a loyal people; an expenditure beyond that revenue; and we acted on a system of foreign policy, and also of domestic policy, if Ireland were included, beyond that expenditure; and no real and permanent good would be done, till our revenue should be reduced in a degree commensurate with the depressed situation of the country, and our expenditure should be reduced below our revenue.

The petitions were then read.

Earl Grey stated, that he held in his hand a petition from the lord mayor, aldermen, and commons of the city of London, in common council assembled, alleging the same grievances, and directed to the same objects as the one lately presented by his noble friend. The respectability of the body from whom the petition he was now about to present, would make its due impression, he was aware, on their lordships' consideration. They state, under the strong feeling of unexampled distress, that the country felt, that the grievances of which they complain were not of a temporary character, but arose from causes more deeply rooted, and of progressive strength, which they trusted that House would be inclined to consider, and prompt to alleviate. They complain of an exorbitant expenditure, of a standing army, a burthen on the nation's finances, and dangerous to the people's liberties. Amongst other remedies, they pray for a strict and rigid system of economy and retrenchment, and for a practical reform in

the constitution of parliament—disclaiming, at the same time, any participation in those wild and visionary theories, that on the same question have been projected by other persons. With respect to these most deserving measures of economy and reduction, it was now not necessary for him to refer to them. In the course of the last session, when the growing difficulties of the country were submitted to the consideration of parliament, he had discussed those efficacious remedies; and since the assembling of their lordships he had gone rather at some length into a review of these subjects. There remained only the one point to which the petition referred, that of parliamentary reform, upon which he was anxious to offer a few observations, because to that subject, in the early part of his public life, he had given an active and persevering attention, and therefore it was that in expressing his present conviction, he wished not to be misunderstood. In common, therefore, with the petitioners, and with his noble friend who had argued the point with such historical accuracy, he most fully disclaimed the project of annual parliaments and universal suffrage. His noble friend had shown to the conviction of that House, that such doctrines never were acknowledged by the constitution. That they never would become a part of the constitution he most sincerely hoped. Though not disposed to impute to every man who held such doctrines improper or sinister designs; though aware that it has been entertained by some individuals of irreproachable character, and was first broached in the country by the distinguished and highly respected Granville Sharp, yet in his conscience he believed that its realization would not only be unattended with any salutary and beneficial improvement, but would lead to the subversion of all that this nation, over every other part of the world, enjoyed. Such, as he had before stated, never was the principle or the practice of the constitution. But in asserting that fact, he did not, in judging of the proposition, feel it at all necessary to make out that case. Could it even be established that universal suffrage and annual parliaments had been the practice of the constitution in remoter periods, that acknowledgment could form no ground for the adoption of such a course in the present time. To what monarch, to what assembly, were mankind to ascribe that infallible wisdom

that indefeasible power, by which posterity were to be bound down implicitly? But of all classes of society, this denial of the right of dissent was least to be expected from the very men who, in furtherance of their views of reformation, would limit and restrict the legislative power of a country to what was supposed to be once the practice of the constitution. When men spoke of the rights of the people, in what did they mean those rights to consist? Those rights were the liberty and security of the subject. Laws and institutions were only the modes by which these two human blessings were best guaranteed. The character, therefore, of those means would depend—they were only admirable and salutary, as far as they tended to uphold the existence and secure the permanence of those invaluable rights. The true question under the present circumstances was, whether it was desirable to adopt such a change in the system of representation, as was best calculated to provide for the public liberty and security? It was natural, he felt, that the people should look, under the pressure of unparalleled distress, to every measure likely to procure redress; but in making that admission he could not conceal from himself, that in the very anxiety for that redress, they were ready to subscribe to plans and systems of reform, without particularly weighing the specific merits or applicability of such propositions. But though they had not fully deliberated on such questions, they could not be insensible to those admitted abuses and flagrant anomalies which, from the time of Mr. Locke down to the present period, had excited public odium, and the existence of which he felt persuaded had no more baleful tendency than to weaken the authority and undervalue the character of parliament. To that plan of parliamentary reform proceeding on the principles of the British constitution, and limited by a sound and provident discretion, he was a sincere friend, because he believed that in addition to the correction of such abuses as described, it would also tend to dissipate the discontent that now from many causes so generally prevailed. And here he was willing to admit, that he was not disposed to carry his views of parliamentary reform to the same extent as when in early life he had applied his mind to the consideration of that important subject. He trusted he should ever possess the manliness fully to avow any change of

opinion that a more mature judgment had effected. No fear of misrepresentation, no apprehension of unpopularity, should ever induce him to equivocate with his settled conviction. It was not on the spur of the occasion that he now ventured to express his opinions. It was in the recollection of their lordships, if the observations of so humble an individual left any impression, that in the year 1810, on a motion introduced by himself to take into consideration the state of the nation—a motion, in discussing which, he then endeavoured to explain the causes of the distresses at that time, and which now in progressive increase have produced the dreadful evils of this day; he had expressed, that there was then a considerable modification in his opinions on the subject of parliamentary reform. He dwelt on this subject the more strongly, because he found that the petition which he had the honour to present, took for its basis of reform, the very same basis that he had himself adopted at a period of life, when hope was more sanguine, and the necessity of change was less tempered by caution. The extension of the right of voting to householders paying direct taxes, was that basis. His impression now was, that so sudden a change in the frame of the constitution was more liable to produce dangers than had entered into his contemplation under more sanguine anticipations. He therefore wished to be understood as the friend to that plan of reform that would remove and correct all those abuses, which had been reprobated successively by Locke, Blackstone, lord Chatham, Mr. Pitt, Mr. Fox, and even by Mr. Burke, who in his speech on the American war, had so justly described them as the shameful parts of the constitution. Admitted, as they were, it was not surprising that the people should look with abhorrence at so marked a deviation from the original principles of the constitution. Whenever the other House shall deem it expedient, in the shape of a proposed law, to forward for the consideration of their lordships such a measure, to the extent he had stated, he was willing to accede. He felt it both salutary and desirable, that when the House was most probably about to be called upon to pass new laws, arising out of discontent and conspiracy, that parliament ought to evince a willingness to meet the fair prayer of the people, and remedy those abuses in our system which have sprung from the decays of time, and

the consequences of corruption. He could not, however, acknowledge this reform in the system as a *sine qua non*, or that without it, as the petitioners alleged, nothing could be done for the people. Constituted as it now was, he in his conscience believed, that the House of Commons was of all other institutions in all the other countries of the world, the institution best calculated for the general protection of the subject. Supported by the people in temperate and firm claims for redress, it was not only able but certain to remedy every wrong. It was capable to act as the most efficient control upon the executive, by diminishing the means of corruption, and reducing the pressure of a severe and grinding taxation.

Earl Grosvenor stated, that after the able speeches of his two noble friends, he was not inclined to trespass on the attention of their lordships. He was urged to one observation, because it struck him that his noble friend who spoke last, seemed to misconceive the meaning of the petitioners. When they expressed the opinion, that without parliamentary reform nothing in the shape of redress could be expected, it was not, in his judgment, that they disapproved of the other remedies, but that from the conduct of his majesty's government they had no hope of receiving them. From every thing that had passed, they entertained no hope that the distress under which the country suffered, would make any impression in that quarter. Had any real reduction taken place, were there even a disposition evinced to reduce the burthens, and to correct the flagrant abuses, they would not probably have deemed it indispensable to press parliamentary reform to the extent that under the unchecked continuance of abuse, they now felt necessary.

The petition was ordered to lie on the table.

[FRENCH LOAN.] The Earl of Lauderdale said, that when he on a former occasion put a question to the noble lords opposite, whether or not they had taken any measures to convey the opinion of ministers to the individuals about to lend their capital to the French government, something had fallen from them that went to show that some communication had taken place. Under that impression he had then given notice of his intention to move for copies of all communications, which had passed upon the subject. Be-

fore he proceeded further, he wished to be understood as solely restricting his observations to the conduct of government. With respect to the sacred right of individuals to dispose of their property, it was unquestionable; indeed, he would say, that it was perhaps the best thing for the country that the holders of property should actually, at their own discretion, dispose of it to the best advantage. So far from arraigning any disposition of it by individuals; he was convinced that the embarking money in the line that brought the most profit, was, in the end, most beneficial for the general welfare. It was a far different question to consider whether the disposition of such property in the funds of a foreign nation, arose from the encouragement of the government, or was solely the act of the individuals themselves. It was to the nature of that encouragement that he pressed his motion. Instances were to be traced in our history, when the artificial effects of financial regulations, such as the sinking fund, had made it necessary to call for legislative provisions. It had been the practice of the noble lords opposite to attribute the foundation of the sinking fund to Mr. Pitt; upon what grounds was to him unintelligible. The distinguishing feature of Mr. Pitt's sinking fund was, that it paid off a much smaller proportion of debt than any of those that before existed. When in 1716 sir Robert Walpole established his sinking fund, money became from its operation so abundant, that the interest progressively declined from 6 to 5 and 4 per cent. In 1727 the rate it bore was four. In two years afterwards the minister, from the encouragement to send the disposable capital abroad for higher interest, brought in a bill preventing the loan of money to foreigners. The policy of this day was different: the treaty of 1814 actually afforded the encouragement to take capital out of the country, and invest it in that of foreigners. By a provision in that treaty, commissioners were appointed to determine the amount of balances between this country and France, relative to the maintenance of prisoners of war, although in a subsequent part, the claim of this country regarding the balance due, was wholly given up to France. Then why were the commissioners appointed? The thing was not capable of explanation; as in point of fact, the balance due to this country from France was considerably greater than that of France against us.

Why had not the balance been demanded, and the British creditors of France at once indemnified out of the treasury? If loans such as these were encouraged, it would be impossible ever to have an efficient sinking fund in that country. And were they not encouraged by the treaty of 1814? After the stipulations of that precedent how was it possible to refuse the same guarantee to any future creditor? On what principle could a distinction be drawn? Besides, there arose from the circumstances of the transaction, an additional reason against any refusal. The money secured by the treaty of 1814, was borrowed by France to carry on hostilities against this country. The money about to be advanced now, was for the purpose of enabling her to fulfil her engagements with Great Britain. He could not imagine any other cause for that strange clause in the late treaty, but that it might operate as a sort of bonus to the capitalist to lend his money to a foreign state. It was therefore most essential to see what were the nature of the communications between government and the individuals. Every side of the House must be aware, that in no part of our previous history was this country involved in greater financial distress. It had been his province at various times to attract the attention of their lordships to one great branch—the alteration in the circulation of the country. Amongst the causes assigned by the bank directors for the restriction of cash payments, great stress was laid by them on the advances to government, and the foreign loans. How would these foreign loans operate, when the bank would be so shortly obliged to pay in specie? The truth was, that if such a system was persevered in, the act of parliament for that object would be only so much waste paper. But then the noble lord opposite would answer that the sum about to be advanced from this country was extremely small. Did he not recollect, that in the correspondence with the bank the loan even of the sum of 300,000*l.* for Ireland, to be raised in this country, was assumed to promise a most prejudicial operation. Had the noble lord considered what the rate of interest was in foreign countries? Was it not higher than here? And if therefore any thing approaching to encouragement was held out it was in the nature of things that money would go from the country where the interest was lowest. —It was said, that the credit of this coun-

try was so firmly established, as to render any alarm on that subject unnecessary. If, however, the price of the funds were taken as a criterion, it would be seen that they bore by no means such a proportion to the rate of interest on common mercantile transactions, as they had formerly borne, and that in fact, money vested in government securities procured a higher rate of interest than if vested in private securities. It was well known, that the rate of interest at which bills of exchange were at present discounted, did not exceed 4 per cent. If a government security were deemed equally good, it was evident that the three per cents. would have been at 75. When such a disparity existed it could not be denied, that the credit of the country was affected. Notwithstanding the state of our own funds, he did not wish any means to be taken to restrain capitalists in the disposal of their money; but as the evident tendency and effect of the article of the late treaties with France, in behalf of the English creditors of that government, was to give an encouragement to the investment of capital in foreign funds, which would not otherwise have existed, he wished to have all the correspondence which had taken place on that subject before the House, that they might be able to decide whether the government had given an antidote to the mischievous effects of its former measures, by a distinct declaration, that to insist on such conditions from France would form no part of our future policy. He was the more anxious that such a declaration should be made, as he recollected that the loans of the bank to other countries first brought its affairs into that disorder which led to the suspension of its cash payments. The noble earl then moved for copies of all official communications with his majesty's ministers on the subject of the loan lately negotiated in France.

The Earl of *Liverpool* said, the answer he had to make was short. There had been no official communications on the subject alluded to in the motion. He had however, no difficulty in stating, that the individuals concerned being at full liberty, like all other English subjects, to vest their property in the manner most convenient to themselves, had received from his majesty's ministers neither encouragement nor discouragement. The government of this country were not parties in the concern, they had entered into no engagement, they had given no guarantee, present or eventual, with reference to the transac-

tion. The loan, indeed, could not be said to be negotiated in England. It was a loan of the French government with certain great houses in Europe, in which indeed one of the great banking houses in this metropolis had taken an important share. But the noble mover had said, that under the peculiar circumstances of the case, the loan should not merely have been not encouraged, but should have been discouraged. He (lord *Liverpool*), in the exercise of his discretion, had not thought it consistent with his public duty to discourage that transaction, though he felt it right the individuals should understand that they entered on their own responsibility into this transaction. The peculiar circumstances on which the noble mover had recommended a departure from that which he acknowledged should be the ordinary policy in such cases were two. The first, the articles in the two last treaties with France; the second, the laws relating to the sinking fund. The articles in the treaties referred to, were those in which the government insisted on a compensation for the losses of British creditors of France, by the reduction of the funds in consequence of the revolution. Now, with regard to these articles, it had never been admitted even upon general grounds, that individuals had a right to expect the same, or similar articles to be inserted in other treaties to be concluded possibly and most probably under very different circumstances from those under which the former ones had been concluded. But there were some peculiar circumstances which entirely removed the danger of the articles being drawn into precedent. Had the noble mover forgotten that in the commercial treaty with France concluded in 1787, the very first article stipulated, that if at a subsequent time the relations of peace should be disturbed, one year after the declaration of war should be allowed to the subjects of each country, to withdraw their effects from the other country. The consequence of that article was, that many British subjects did invest their money in the French funds. The peculiar nature of the war which afterwards broke out, and the general confiscation of property in France, prevented that article from being carried into effect. Now he did not mean to say, that this article in the treaty of 1787, gave the creditors an absolute right on the protection of this government; but it gave them a strong claim to be taken into consideration in the

formation of the new treaty, if that could be done without sacrificing greater interests. It was, however, quite impossible that the contractors of the present loan could set up any such claim. If, therefore, there was nothing in the general policy of the country which should induce the government to discourage such a loan, there was certainly nothing in its peculiar circumstances which should render it necessary. It was evident that the articles in the late treaties, founded on the consideration of the article in the commercial treaty, and the losses into which individuals had been led on the faith of it, could form no precedent for any future negotiations.—The second ground of the noble mover was the operation of the laws respecting the sinking fund. The noble earl had taken occasion to disparage the principles of the sinking fund, as he had before taken occasion to do, both in that House and in print. He had stated, that no merit was due to Mr. Pitt for the principle of the sinking fund, for, it had been established long before his time. This was true; but what had been claimed for Mr. Pitt by his friends was, that in the course of a long, calamitous and expensive war he had adhered rigidly to the principles of the sinking fund, and had never stopped its operation. On this his merit was founded. When the finances were in a more flourishing state—which though the noble mover did not anticipate, many others did confidently look forward to—the operation of the sinking fund on the money market would be most important. The noble mover thought it most impolitic to pay off a part of the debt, because the price of that which remained would be so much increased, and capital would thus be forced to foreign countries. The capitalists would not look, however, to the rate of interest merely, but to a combined consideration of the rate of interest and the security. He allowed that a great deal of capital would force its way to foreign countries. If the peace was long and the rate of interest reduced, that must be the necessary consequence; and it would be most unwise to attempt to prevent this overflow. The sinking fund would shorten the time in which the country would arrive at that state to which all countries would wish to arrive; he said “would wish,” because the low rate of interest and the overflow of capital were the best *criteria* of the prosperity of the commerce and trade of the country. It would be a strange mode of rea-

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soning, to desire to overturn the system which would lead us to that result, because from this, as from all other good, some slight evils would follow. He allowed the rate of interest which money vested in the funds bore was greater than it should be expected to be, when compared with the usual rate of interest in mercantile transactions. If money thus vested did not produce more than four in the hundred, the three per cents. would of course stand at 75. But there were a variety of circumstances arising from the distresses of the times, particularly a desponding view of the state of the country however occasioned, which might have produced the present comparative depression of stock, without resorting to the supposition that credit was seriously affected. As to the committees in 1797, to which the noble mover had referred in support of his opinions, as to the causes of the former stoppage of payments at the bank, he (lord Liverpool) did not think so highly of the wisdom of those at that time examined as the noble mover seemed to do. We had now greater experience on that subject to direct our decisions. He did not deny that the great foreign expenditure at that time led to the suspension of cash payments—that it was fortunate, he did not doubt, in which he differed from the noble mover, but that it was necessary he was not persuaded. While he was on this topic, he thought proper to state, that as to what he had said in the last session on the resumption of cash payments, there had been nothing which he had then said on that subject on the fulfilment of which he did not now place the most entire reliance. He concluded by observing again, that the motion could have no effect, as no official communications with the contractors of the loan existed.

Lord *Holland* said, that the noble earl who had just concluded, had not adverted to all the circumstances of the case. He had said, that all the peculiar advantages under which the last treaties were made, were not likely to recur. He thought, indeed, one circumstance should not be suffered to recur, namely, that the government of the country should buy two or three millions for individuals by six or seven millions out of the public purse. If the ministers of this country continued willing to give up seven millions for 2½ millions, they might be sure the French government would at all times be ready to admit such an article, and that even

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if they had been as successful in war as they had been unsuccessful, they would not have been at all averse to such a proposition. It was to prevent such a sacrifice of public to private interest from forming an encouragement to the transfer of capital to foreign countries, that measures were rendered necessary. The noble earl had omitted also one circumstance respecting the article in the treaty of 1787, though he had fairly acknowledged that it was not obligatory on this government. That article had been referred to by the British creditors of the French government, as affording them a claim to compensation, at the time the noble earl, and the government with which he was connected, concluded the peace of Amiens. The government of that day, and he believed the noble earl himself, treated this claim as extravagant, absurd, and inadmissible. Lord Auckland's treaty had thus been done away, not only by the lapse of years, and by the renewal of the relations of peace and amity in 1801, but by the disclaimer of the government, and now at this distance of time, it had again been raised up to entitle the holders of French stock, even those who had invested their money recently, to an indemnity, to be paid, not by the French government, but by the sacrifice of seven millions of British money. On the subject of the sinking fund the noble earl had also omitted one circumstance. The expenses of the past war had deprived us of all sinking fund in peace. The revenue was not sufficient, or scarcely sufficient, to cover the interest of the debt, and the expenses of the government, without any sinking fund. From this, as well as the other causes, it was most impolitic at this time to give a special encouragement to the capitalists of this country to vest their money in the French funds. That the effect of the articles in the treaties was such, he thought, had been shown, and it was their duty to prevent their being drawn into precedent. It was hardly necessary for him to disclaim the vulgar and unfounded prejudice against the individuals so disposing of their money. They had a right so to dispose of their money, and were, of course, if they thought it advantageous, perfectly justified in doing so.

After a short reply from the earl of Lauderdale, the motion was negatived without a division.

HOUSE OF COMMONS.

Wednesday, February 19.

LORDS OF THE ADMIRALTY.] After a ballot had taken place to try the merits of the Wootton Bassett Election, the chancellor of the exchequer moved, that the House at its rising do adjourn to Friday.

Mr. Brougham said, that nothing was further from his intention than to throw any obstacles in the way of this motion, nor should he have in the least objected to it, excepting for the circumstance which had occurred last night. The motion of his hon. friend (sir M. W. Ridley), was then to have been discussed; but, for reasons which all might guess, none of his majesty's ministers were present, and there was such a deficiency in point of numbers, as to render it impossible that a House should be held. Of the deep importance of the question which should then have been discussed, he was sure the House had no occasion to be reminded, and therefore he could not but deeply regret that one night had been lost, and that it was now proposed to lose another day. That there was an immense pressure of business before the House, all could not but know, and it was surely deeply to be lamented that any delay whatever should take place. The motion of his hon. friend, although of such importance in every point of view could not come on this week, in consequence of no notice of it being given, and another important motion coming on before the House on Friday, while there was every probability also of Monday and Tuesday being engaged. It was not difficult to see that the object of ministers was, to put off as long as possible the discussion of this truly important question. It was morally impossible that they should not have known that the discussion was fixed for last night; and as he was aware they would not say on good grounds that they had been disappointed, in not finding sufficient numbers to make a House, he could not but regard it as rather a proof that their apprehension of immediate danger to the country had subsided, and was at an end. If the report of the committee of secrecy was really so pressing, as to call for some legislative provision independent of the existing laws, it was not at all likely that ministers should so readily agree to sacrifice two nights, as would be the case were this motion agreed to. It was the importance of his hon. friend's

motion, and no wish to throw any obstacle in the way of the present proposal, that had induced him to address the House.

The *Chancellor of the Exchequer* apprehended there could be no difficulty in the House agreeing to his motion, when they considered that it had always been customary not to meet on the birth-days of the king and queen, or at least on the days appointed for celebrating such birth-days. He regretted as much as any man could do, the delay which had taken place in the discussion of the hon. baronet's motion, but he could assure the hon. baronet and the House, that that delay was in no point of view owing to his majesty's ministers, as it was well known they were yesterday engaged at the very hour the House met, on most important business. No inconvenience could possibly arise from the motion of the hon. baronet being delayed for a few days longer, for in fact, that motion would have been before the House when the navy estimates came to be considered. There was not, at all events, such an immediate pressure for bringing it forward, as to induce the House to dispense with their usual custom of not meeting on birth-days. If the hon. baronet was desirous of immediately bringing the case before the House, he might probably make an arrangement with an hon. member on the same side, who had a motion standing for Friday. Monday was the day when the discussion on the report of the secret committee was proposed to take place, and that certainly was as important in every possible view, as any subject which could engage the attention of the House. Some early day might without inconvenience be fixed for the hon. baronet bringing on his motion, in the event of there being no arrangement made between him and the hon. member whose motion stood for Friday.

Lord *Castlereagh* said, that the motion which stood for Friday related to the poor laws, and certainly in that view was interesting to the whole country. If the House could devise a remedy for the evils complained of in the present state of these laws, he was certain they could not too soon enter into the consideration of it. Aware of its deep importance, he should lament that it was postponed beyond the time appointed by the hon. member in the notice he had given. Surely a question so infinitely interesting to the country, was worthy of being sooner considered than any reduction which might be made

in the seven lords of the admiralty, which number had always been the same since the revolution.

Mr. *Curwen* would have gladly complied with the wishes of his hon. friend, in postponing his motion, but did not think he could do so in justice.

Sir *M. W. Ridley* considered the question which should have been discussed last night as one of the greatest importance, and one which could not be too soon brought before the House. If any thing were wanting to show the anxiety of ministers to put it off as long as they could, their conduct last night was sufficient, for not one of them was in the House.

The motion was then agreed to.

REPORT OF THE SECRET COMMITTEE OF THE HOUSE OF COMMONS, RESPECTING CERTAIN MEETINGS AND DANGEROUS COMBINATIONS.] Mr. Bathurst presented the report of the Secret Committee, which was read, and is as follows:

REPORT.

THE COMMITTEE OF SECRECY, to whom the several PAPERS, which were presented (sealed up) to the House, by lord viscount Castlereagh, on the 4th day of February, by command of his royal highness the Prince Regent, were referred, and who were directed to examine the matters thereof, and report the same, as they should appear to them, to the House;—have unanimously agreed to the following REPORT:

It appears to your Committee, from the most attentive consideration of the several documents referred to them, that attempts have been made, in various parts of the country, as well as in the metropolis, to take advantage of the distress in which the labouring and manufacturing classes of the community are at present involved, to induce them to look for immediate relief, not only in a reform of parliament on the plan of universal suffrage and annual election, but in a total overthrow of all existing establishments, and in a division of the landed, and extinction of the funded property of the country.

This hope and prospect of spoliation have been actively and industriously propagated by several societies, openly existing in the metropolis, distinguished by the name of Spenceans; a title which they have assumed in consequence of having

revived the principles, with some variation, of a visionary writer of the name of Spence, which first appeared in a publication of his near twenty years ago.

It appears that at some of these societies, held during the last month, the question was discussed, whether the meetings for parliamentary reform are calculated to mislead or enlighten the public. In the course of the debates upon which question, it was strongly urged "that parliamentary reform was only a half measure, that they must look to the land, for nothing short of that would ever avail them: that we had no constitution, there being no book in which it could be found, nor any man that could tell what it was." In another discussion upon the question, "whether the practical establishment of Spence's plan be an effectual remedy for the present distresses," one of the doctrines maintained was, that "the landholder was a monster to be hunted down; but that they should not suffer themselves to be amused; that there was a greater evil, namely, the fundholder; that these were the rapacious wretches, that took fifteen pence out of every quartern loaf."

It further appears, that in these meetings the most blasphemous expressions and doctrines are openly and repeatedly advanced; that as the meetings are professed to be of a convivial nature, the political debates and readings are usually followed by songs, in many of which the most inflammatory topics are introduced, some of a seditious and treasonable nature, and others under the form of profane and indecent parodies of the liturgy and of the holy scriptures.

These societies appear to have extended themselves; and there are traces of the existence of a committee called conservative, directing the operations of the whole. The doctrines above mentioned have been systematically and industriously disseminated amongst mechanics and manufacturers, discharged soldiers and sailors, and labourers of all descriptions: they have been inculcated at frequent appointed meetings, and at various places, by speakers, who have made the distresses of the times topics of excitement and inflammation; and they have been circulated, with incredible activity and perseverance, in cheap and often gratuitous publications. It has been proved, to the entire satisfaction of your committee, that some members of these societies, acting by delegated or assumed authority, as an exe-

cutive committee of the whole, conceived the project, and endeavoured to prepare the means of raising an insurrection, so formidable from numbers, as by dint of physical strength to overpower all resistance.

The first step towards the accomplishment of this object was, by the individual exertion of the members of the committee, to discover and foment the prevalent distresses and discontents in the metropolis and its vicinity. Returns were made of those who they thought were to be relied upon for daring and hazardous enterprises.

The design was by a sudden rising in the dead of the night, to surprise and overpower the soldiers in their different barracks, which were to be set on fire; at the same time (plans having been arranged, and some steps taken with a view to the accomplishment of that object) to possess themselves of the artillery, to seize or destroy the bridges, and to take possession of the Tower and the Bank. In furtherance of this design, a machine was projected for clearing the streets of cavalry. A drawing of this machine, fully authenticated, and also a manuscript sketch or plan of various important parts of the Tower, found with the drawing of the machine, have been laid before your committee.

This design was however relinquished a short time before its intended execution. It was thought more prudent previously to ascertain what force the conspirators could actually call together, and this it was agreed could best be done by convening a public meeting, for the ostensible purpose of obtaining a redress of grievances in a legal way. The map of London was inspected, and Spa-Fields were selected as the most eligible spot, from their vicinity to the Bank and the Tower. Advertisements were accordingly prepared, and written placards circulated, of the most dangerous and inflammatory nature; of one of which the following is a copy:

"BRITONS TO ARMS!

"The whole country waits the signal
 "from London to fly to arms! haste, break
 "open gunsmiths and other likely places
 "to find arms! run all constables who touch
 "a man of us; no rise of bread; no Rent;
 "gent; no Castlereagh, off with their
 "heads; no placemen, tythes, or enclosures;
 "no taxes; no bishops, only useless
 "lumber! stand true, or be slaves for ever."
 "N. B.—Five thousand of these bills

"are up in the town, and printed ones, "with further particulars, will appear in "due time."

At this time, if not before, the intended insurrection assumed the symbols of the French revolution; a committee of public safety, consisting of 24, was agreed upon, including the names of several persons, extremely unlikely to lend themselves to such a cause. A tri-color flag and cockades were actually prepared; the flag was openly carried and displayed at the first meeting which took place in Spa-Fields, on the 15th of November. No acts of violence were however encouraged on that day, though some few instances of plunder occurred after the assembly dispersed, but care was taken to adjourn the meeting to the 2d of December, by which time it was hoped that the preparations for insurrection would be fully matured. Not a moment was lost in advertising the next meeting, and great assiduity was employed in circulating the intelligence through all the great manufacturing towns in the country, by means of placards and handbills; endeavours were used to raise subscriptions; the expense hitherto incurred in forwarding the object of the conspiracy, and in supporting such inferior members of it as had relinquished their trades and occupations in order to devote their whole time to the furtherance of the cause, having been hitherto principally defrayed by one individual of the committee. Plans for the seduction of the soldiers were now adopted and pursued with unremitting activity; appeals were made to excite their sympathy, and induce them not to act against the insurgents; attempts were made to inflame their hopes by promises of rank and reward, and to alarm their jealousy by the absurd fiction of the actual landing of a considerable foreign army, for the purpose of controlling them.

The barracks were again reconnoitred with a view to attack. The manufacture of tricolor-ribbon was encouraged, with a view of rendering it familiar to the eyes of the public.

Visits were repeated to those quarters of the town, where the distress was considered as the most prevalent; and warehouses along the river; as well as shops in other places, which were known to contain arms, combustibles, and clothing, were examined and noted down, with the view of seizing those articles on the proper occasion. Plans were also formed for seducing the sailors on the river, by offers of

advancement to high rank under the new government, and for seizing and equipping such ships as were accessible. Immediately previous to the day of meeting, arms were provided for the immediate use of some of the persons most actively engaged. This provision was deemed sufficient for the beginning of the insurrection, as they felt confident that if it should be successful for two hours, as many arms might be procured as would be necessary, from the dépôts and gunsmiths shops, which had been reconnoitred with that view.

Your Committee have further received undoubted information that a large quantity of pike heads had been ordered of one individual, and 250 actually made by him, and delivered and paid for. It was also undoubtedly intended to liberate the prisoners in the principle gaols in or about the metropolis, in the hope of their concurrence and assistance in the intended insurrection. Addresses were introduced into some of those prisons, and recommended to be communicated to others, in which the persons confined were invited, in the name of the tri-colored committee, to rally round the tri-colored standard, which would be erected on Monday, December the 2d, and to wear tri-colored cockades themselves. It was promised that the prisoners should be liberated by force, and arms were stated to be provided for them, and they were directed to be ready to assist in overpowering the turnkeys. A waggon was hired for the business of the day, in which the flags and banner or standard, which had been previously prepared, together with some ammunition, were secretly conveyed to the place of meeting. From this waggon, before the ostensible business of the day commenced, in the other part of the field, the most inflammatory speeches were delivered, tending directly to excite insurrection, concluded by an appeal to the multitude assembled, whether they were prepared to redress their own grievances. A tri-color cockade was then exhibited, and the tri-color flag was displayed, and a number of persons followed it out of the field.

The direction which they took was towards that part of the town previously designed; gunsmiths shops were broken open, addresses and offers were made to the soldiers at the Tower to induce them to open the gates; but from the failure of the numbers expected to join the insur-

gents, no attempt was made to force the gates. An attack was however made upon the city magistrates assembled in the Royal Exchange, a shot fired, and a tri-color flag and cockade openly displayed and seized on the offender.

In reviewing the whole of the transactions of the 2d of December, your Committee are firmly persuaded, that, however improbable the success of such a plan may appear, it yet was deliberately premeditated by desperate men, who calculated without reasonable ground upon defection in their opposers, and upon active support from those multitudes, whose distress they had witnessed, and whom they had vainly instigated to revolt. That consequently it was [not merely the sudden ebullition of the moment, or the unauthorized attempt of any unconnected individual.

Your Committee are further convinced, that notwithstanding the failure on the 2d of December, the same designs still continue to be prosecuted with sanguine hopes of success.

Your Committee having thus stated the general result of the evidence which has been laid before them, respecting the state of the metropolis, have now the no less painful duty of calling the attention of the House to what has been passing during the same period in different parts of the country, a subject of equally momentous consideration. The first thing which has here forced itself upon their observation, is the widely diffused ramification of a system of clubs, associated professedly for the purpose of parliamentary reform, upon the most extended principle of universal suffrage and annual parliaments. These clubs in general designate themselves by the same name of Hampden clubs. On the professed object of their institution, they appear to be in communication and connexion with the club of that name in London.

It appears to be part of the system of these clubs, to promote an extension of clubs of the same name and nature, so widely as, if possible, to include every village in the kingdom. The leading members are active in the circulation of publications likely to promote their object. Petitions, ready prepared, have been sent down from the metropolis to all societies in the country disposed to receive them. The communication between these clubs takes place by the mission of delegates; delegates from these clubs in the country, have assembled in London, and are ex-

pected to assemble again early in March. Whatever may be the real object of these clubs in general, your Committee have no hesitation in stating, from information on which they place full reliance, that in far the greater number of them, and particularly in those which are established in the great manufacturing districts of Lancashire, Leicestershire, Nottinghamshire, and Derbyshire, and which are composed of the lower order of artizans, nothing short of a revolution is the object expected and avowed.

Your Committee find, from equally undoubted information, that the doctrines of the Spencean clubs have been widely diffused through the country, either by the extension of similar societies, or more frequently by the intervention of missionaries or delegates, whose business it is to propagate those doctrines throughout every society to which they have access: it is the universal practice of these societies, to require from the members a small weekly subscription, which provides a fund for the expenses of these missionaries, and also for the purchase of seditious tracts, which are read and commented on at their meetings. Some of these tracts, now before your committee, inculcate in the most artful manner, the necessity of overturning what they call "the privileged class," as distinguished from the people, who are described as consisting of labourers, artizans, tradesmen, and every profession useful to society. A new order is declared to be the will of the people; rebellion is justified by the assertion that a nation cannot be a rebel; and all religion is disavowed, as well as loyalty, by the assertion, in answer to the question, "would you live without gods or kings,"—"we abjure tyranny of every kind."

It seems, indeed, to be a part of the system adopted by these societies, to prepare the minds of the people for the destruction of the present frame of society, by undermining not only their habits of decent and regular subordination, but all the principles of morality and religion. Your Committee find, that there is scarcely any very numerous society, in the parts above referred to, of whose proceedings they have obtained an account, in which some of the leading speakers do not openly avow the most seditious opinions, and do not excite their hearers to be prepared for actual insurrection. Topics for discussion are selected with this view: amongst others, the question, whether the jacobin or the loyalist

was the best friend to his country? Even where petitioning is recommended, it is proposed to be conducted in such a manner, by an immense number of delegates attending in London at the same time; in several parties, attached to each petition, as might induce an effort to obtain by force whatever they demanded. A general idea seems prevalent among those who compose these societies, that some fixed day, at no very great distance, is to be appointed for a general rising. They have been taught to look to the meetings in London as the signal for their operations, and have been in the habit of adjourning their own assemblies simultaneously to the same day; and it is a lamentable instance of the common interest which they feel, if not of the connexion which is formed with those most implicated in the outrages committed in the metropolis, that about Manchester and some other places, the greatest exultation was manifested previous to the meeting in Spa-Fields on the 2nd of December; and the taking of the Tower, and the ruin of the Bank, were publicly and confidently predicted. The news of the result was impatiently expected, the roads were crowded during the night with a number of persons, many of them delegates from the different societies in the country, waiting for the arrival of the mail coach, and the disappointment was not concealed, when it was ascertained that the riot had been quelled without much serious or extensive mischief.

It appears, that the confidence of the disaffected is such, that they represent the numbers enrolled as amounting to several hundred thousand, and that their societies are daily increasing; that in their lists they distinguish by particular marks those among their subscribers who are able bodied men, and ready to act when required; and that they also keep a list of those who refuse to join them in what they call a "black book," and threaten vengeance against these persons when the general insurrection shall take place. In some parts of one populous county, where nearly every village has already its Hampden club, the members make it no secret that they consider themselves as of no other use than as being ready to act whenever they are called upon; on their admission they are said to be listed, and receive a secret card with the words "Be Ready, Be Steady."

The habits and manners of these persons seem entirely changed; they already

calculate upon the share of land which each is to possess, and point out the destruction of the churches, as the necessary consequence of their success. It appears that preparations are in progress, in several places, for providing arms; the demand upon gunsmiths, for every species of fire arms, has been beyond all former example; the intention is professed, of having recourse for a still larger supply to those towns where arms are manufactured, and where they are to be obtained at a very low rate, from the general cheapness of labour at this time; or in case of necessity they are to be seized by force. The facility of converting implements of husbandry into offensive weapons, has been suggested; and persons have been sent to observe the state of particular places, where depots of arms for the public service were supposed to have been formed.

Your Committee find that a system of secret association has been extended to the manufacturing population of Glasgow, and some other populous towns of Scotland; and although these societies have availed themselves of the same pretext, of parliamentary reform on the broadest basis, your Committee are firmly persuaded, from the information which has been laid before them, that their ultimate object is the overthrow by force of the existing form of government. That, the time for attempting this enterprise was to depend on the simultaneous rising of the disaffected in England; with some emissaries from whom occasional intercourse appears to have taken place, and that some provision of weapons has been made by this association.

Your Committee have now submitted to the House, what they conceive to be a fair, and not exaggerated statement of the result of their investigation. They have thought themselves precluded from inserting, in an Appendix, the information from which it is drawn, by the consideration, that unless it were extremely partial and incomplete, they could not make it public without hazarding the personal safety of many useful and many respectable individuals, and in some instances without prejudicing the due administration of public justice.

On a review of the whole, it is a great satisfaction to your Committee to observe, that, notwithstanding the alarming progress which has been made in the system of extending disaffection and secret societies, its success has been confined to

the principle manufacturing districts, where the distress is more prevalent, and numbers more easily collected; and that even in many of these districts, privations have been borne with exemplary patience and resignation, and the attempts of the disaffected have been disappointed; that few if any of the higher orders or even of the middle class of society, and scarcely any of the agricultural population, have lent themselves to the more violent of these projects. Great allowance must be made for those who, under the pressure of urgent distress, have been led to listen to plausible and confident demagogues, in the expectation of immediate relief. It is to be hoped, that many of those who have engaged, to a certain extent, in the projects of the disaffected, but in whom the principles of moral and religious duty have not been extinguished or perverted by the most profane and miserable sophistry, would withdraw themselves before those projects were pushed to actual insurrection.

But, with all these allowances, your Committee cannot contemplate the activity and arts of the leaders in this conspiracy, and the numbers whom they have already seduced, and may seduce; the oaths by which many of them are bound together; the means suggested and prepared for the forcible attainment of their objects; the nature of the objects themselves, which are not only the overthrow of all the political institutions of the kingdom, but also such a subversion of the rights and principles of property, as must necessarily lead to general confusion, plunder, and bloodshed; without submitting, to the most serious attention of the House, the dangers which exist, and which the utmost vigilance of government, under the existing laws, has been found inadequate to prevent.

19th February, 1817.

The Report was ordered to be printed, and taken into consideration on Monday.

MOTION FOR APPOINTING A COMMITTEE RELATING TO THE BANK.] On the motion of Mr. Grenfell, the Petitions for retrenchment and economy presented from the county of Cornwall, and from the lord mayor, aldermen, and common council of the city of London, were entered as read.

Mr. Grenfell rose and observed, that after the numerous petitions presented to

the House from every part of the country in favour of economy and retrenchment, he felt himself perfectly justified in endeavouring to direct the attention of the House to a source of financial improvements, namely, the contracts and engagements between the public and the bank of England. During the last session of parliament he had taken frequent opportunities of calling their attention to that important topic, and in consequence of the discussions arising thereon, considerable savings had been effected, and he trusted that the same principle might be still further pursued, without contracting the fair and equitable profits of that great, and he would call it, that valuable national establishment. For this purpose, it would be his duty to propose the appointment of a select committee, to enter into the whole of this important subject, for without a select committee, it would be impossible to investigate with sufficient accuracy, the intricate concerns of the several arrangements made between the government and the bank; and this it was competent for them to effect, without interfering, in the remotest degree, with the multifarious concerns of the finance committee. In undertaking to show the necessity of this measure, he proposed, first, to give a general review of some previous proceedings; and, in the next place, to state what further retrenchments this subject was capable of affording. When first he called the attention of the House to this consideration, he had exposed himself to an irritable, if not a hostile feeling, on the part of a very respectable set of men, the bank directors, for whom in their individual capacity, he entertained the highest possible respect. This feeling, however, could not prevent him from fulfilling his duty towards the public, and endeavouring to limit the exorbitant profits of those who have, for many years, been deriving gain from the public, far beyond what their services justified; not desiring, at the same time, as he before observed, to deprive them of a fair, equitable, and even liberal remuneration. He stated that, in the year 1797, just twenty years ago, when the restriction act was passed, the affairs of the bank were investigated by a committee of secrecy, which was the first occurrence of that nature that had taken place since the original grant of the charter, in the year 1694. It then appeared, that for near a century, the only profits derived to the bank pro-

prietors were dividends, sometimes as high as 9 per cent., at other times as low as $4\frac{1}{2}$; making an average of $6\frac{3}{4}$ per cent.; but there was nothing like a *bonus*, or an increase of capital during that period. By the same investigation it also appeared, that there had accumulated in the hands of the bank a surplus of undivided profits to the amount of 3,800,000*l.* which, added to their fund of 11,600,000*l.* made a grand total in their hands of 15,400,000*l.* With this capital the bank started with the restriction act, and enormous profits were the consequence. The first consideration was the rate of management of the public debt, which was exorbitant in a degree, such as the history of no other banking or commercial establishment could present. The profits of the banks of Genoa, Amsterdam, or Hamburg, sunk into insignificance in comparison with those of the bank of England for the last twenty years. In proof of this he stated a fact within his own knowledge, and which, as being himself a bank proprietor, he was enabled to verify, namely, that the profits of the bank within the last twenty years, in addition to the usual dividend of seven per cent. amounted to the sum of 27 millions. He defied the chancellor of the exchequer, or any of the hon. bank directors then present, to dispute the accuracy of that statement.

In giving this exposition of the profits of the bank of England in their engagements with the public, he begged leave to state, once for all, that he did not mean to impute any censure to the bank that made these gains; he found fault only with the government that tolerated them. For, besides the natural desire of gain that belonged to man in every relation in life, the bank directors were bound by oath to exert themselves on every occasion to improve the property of their constituents; but he trusted that the ardour that animated the directors, and the success that attended their exertions in the discharge of their duty, would induce the House, in its turn, to consider the interests of the public. Much of these enormous profits were to be attributed to the influence which their command of money gave the bank directors over every chancellor of the exchequer in their pecuniary negotiations; and when this was properly considered, he would naturally expect that the right hon. gentleman opposite would not make any opposition to his motion for a thorough investigation of

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the bank affairs, as it would thereby render him in future less dependent on the directors. But, notwithstanding this, and that many of those who usually voted with the minister on such occasions were, he was convinced, desirous of terminating the present system, he still feared that the right hon. gentleman could not throw off the trammels which time or influence had imposed on him. It was impossible to deny that the bank had, on many occasions, afforded great accommodations to the public; but it should likewise be considered, that it was the public that had enabled the bank to grant the accommodation, by means of the restriction act. But even these very accommodations were sources of new profits, obtained by the influence exercised by the directors over the chancellor of the exchequer in all pecuniary arrangements. This influence had manifested itself in many instances; and no one could look at it without acknowledging that such a control over the concerns of government was in its nature unfit and anomalous, and in its consequences mischievous and dangerous. Statements to this effect had been frequently made in the House; but motions founded on them always encountered opposition, more remarkable for its taciturnity, and formidable by the votes of the six honourable bank directors, than for the arguments advanced on the question. It had been said, indeed, that the statements were exaggerated; but no proofs were ever advanced in support of the allegation; and when he, and his friends on the same side of the question, complained of the exorbitant charge of 300,000*l.* for management, the hon. directors said, that the bank indeed was extremely moderate, being satisfied with only 7*d.* in every 100*l.* But let it be considered, that this 7*d.* was levied annually, upon an amount of debt which he almost shuddered to mention—on no less than 800 millions of pounds sterling! The real question, however, for the consideration of the House was, whether the nature of the service, and the risk run by the bank, were such as enabled it to receive a yearly sum, which, in November last, amounted to 282,000*l.* This could be considered in a committee only, where he should be glad to encounter the hon. directors in fair discussion, and where, he trusted, he should be enabled to prove that the services of the bank would be liberally remunerated by half their present profits, or by about 150,000*l.* a year.

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There was another source of immense profits to the bank, namely, the sums of public money that have accumulated, and were now lying in their hands. The amount of these within the last twenty years was seldom less than nine millions, and not unfrequently exceeded fifteen millions, the average being about 11 millions. This money, locked up from public use, caused a loss to the public of about 5 or 600,000*l.* annually, producing an equal profit to the bank. When this abuse had, on a former occasion, been complained of, and an account was demanded of the sums of money so accumulated, what was the conduct of the bank directors? They prevented for a few days the production of the account; and an hon. bank director opposite had asserted, that the money was not serviceable to the bank; but notwithstanding this assertion, the gentlemen were very unwilling to part with it. They endeavoured then to excite alarm, and spoke of the danger likely to result to the public credit from such discussions; but he knew of no injury such discussions could create to the credit of government, but the proofs they afforded of what was well expressed on a former occasion, by an hon. and learned gentleman, whose absence from that House must be regretted by every one [Hear, hear!], who had called it "a profligate profusion on the part of government, and an inordinate rapacity on the part of the bank of England, without an example in the financial history of this or of any other country."

With respect to the opposition of the right hon. gentleman, it had hitherto been more famed for the votes which he had obtained than the arguments he had used. It was true indeed that every time he had brought forward any question with regard to the transactions between government and the bank, he had been, on a division of the House, successfully opposed by the right hon. gentleman. But it was unnecessary to state, that it was not by the mere vote of the day that similar questions of this or any other House of parliament were ultimately decided. Such questions were, when first proposed, frequently resisted and rejected, and yet afterwards, and that within a short period, acted on. There were many instances of this kind which he could easily bring to the recollection of the House. He would, on the present occasion, however, confine himself to stating in detail the savings and

retrenchments which had taken place since the discussions were begun, on the propositions submitted by him on the subject of the arrangements between the government and the bank, that is within the last two sessions, or within the last twenty months. The first proposition submitted by him to the House, in the session before last, was a motion for the production of accounts and papers, for the purpose of exhibiting the amount of the public deposits in the hands of the bank, and the terms of the existing contracts between government and the bank, under which the bank were paid for transacting the business of the public. Nothing could be more just, than that the House of Commons, in right of the public as one of the parties, should receive every information on this subject. One would have supposed, that a proposition so reasonable in itself, so well calculated to produce practical good, would have instantly have been acceded to by the right hon. gentleman, as the guardian and protector of the public purse. He resisted it, however, and the proposition was rejected. But what happened? Within one week after the rejection of the proposition, and when he had come to a determination again to submit it for the re-consideration of the House, did the right hon. gentleman come down to the House, and, contrary to the wishes of many of the directors of the bank—to his own credit—though he was sorry to add it was a solitary instance—gave his acquiescence; and thus the same measure was carried on the 26th, which had been rejected on the 19th of the same month. But how often was it not known to happen, that resistance on the part of his majesty's ministers was afterwards followed by concession. The right hon. gentleman, in the session before last, had submitted to the House an act imposing an additional duty to the existing stamp duties. The bank of England had, for their own accommodation, been allowed to issue paper without any stamp, and in lieu of the duties, they paid to the public a sum known by the name of the bank composition. From 1799 to 1815, this composition had been any thing but what it ought to have been, that is, a full and fair equivalent for the sums which they would have been obliged to pay the commissioners of stamps, as the duties for the paper in circulation. When his noble friend, the member for Lanarkshire (lord

A. Hamilton), first asked the right hon. gentleman what additional sum it was proposed that the bank should pay, he answered it would be proposed to make the bank pay such an addition to the existing composition, which was 42,000*l.* as would be found to correspond to—what?—The increase on the amount of their notes in circulation? No—but to the increase of the stamp duty—abandoning in this manner the principle laid down by Mr. Pitt in 1799, and following up that adopted by lord Sidmouth in 1804, and losing sight of the increase of the notes in circulation. A variety of discussions took place day after day on this subject. He had shown to the House, that according to calculations, for the accuracy of which he considered himself responsible the bank had put into their pocket, since the arrangement of lord Sidmouth in 1804, when Mr. Pitt's principle was abandoned, a sum of money to which the public were entitled, to the amount of 535,000*l.* The right hon. gentleman though, when first questioned by his noble friend, he had intimated his intention to adhere to the principle of the arrangement of 1804, afterwards, when obliged to give way, said, he had always intended to act in this business as he afterwards did. However, it was comparatively of little consequence how a beneficial result to the public was produced; it was enough that it was produced. In the first of the two years after a new arrangement the public received from the bank 87,500*l.*, and in the second year 91,000*l.*, being an increase of 41,000*l.* However, were he to state the advantage to the public by the new arrangement at 35,000*l.* only, it was an object in the present times of pressure of no inconsiderable importance.

The next subject to which he had called the attention of the House was the deposits of public money in the hands of the bank. They could not all but recollect the very taunting manner in which, in the session before last, what he said had been received, not by the directors of the bank only, but also by the chancellor of the exchequer, who had resisted his motion for the production of accounts, to see the amount of the balances. On that occasion a bank director, his hon. friend, the member for Taunton (Mr. Baring), whom he was happy to see below him, returned from his foreign mission, had then ridiculed the idea of the bank deriving any considerable advantage from the

balances of the public money in the hands of the bank; and when he moved for papers, for the purpose of showing the enormous amount of these balances, he was opposed by the right hon. gentleman. But what happened afterwards? The chancellor of the exchequer and the directors of the bank laid their heads together, and the bank agreed to advance government the sum of 6,000,000*l.* at one per cent. less than the ordinary interest, being a saving of 60,000*l.* on the 6,000,000*l.* However, this formed only a part of the advantages derived by the public. Instead of paying 4 per cent. on six millions, he thought as the bank were only lending to the public their own money the public ought to pay nothing for it. He therefore had moved an amendment to the proposition submitted to the House on that occasion. But hardly was this over, when the chancellor of the exchequer came forward with a new arrangement, by which other three millions were to be lent by the bank, at an interest of 3 per cent., equivalent to another saving of 60,000*l.* Another sum of 25,000*l.* had been obtained as interest on 500,000*l.* of unclaimed dividends. Thus there had been first obtained 60,000*l.*, being 1 per cent. on the loan of 6 millions; then 60,000*l.*, being 2 per cent. on 3 millions; and next 25,000*l.* interest on 500,000*l.* of unclaimed dividends, making together 145,000*l.*, to which, if they added 35,000*l.* for additional stamp duties obtained, they would arrive at the sum of 180,000*l.* which had been saved, it might be improper to say in consequence of these discussions, but certainly since these discussions had taken place. But whether this advantage was due to the discussions in that House, or to the vigilance of the right hon. gentleman, and the generosity and liberality of the bank directors, or an awakened sense of justice on the part of the bank, but which had been asleep for twenty years, he would leave to the House to determine.

Having thus shown the House that savings had been realized to the amount of 180,000*l.*, he might be asked, perhaps, whether he was not yet satisfied, and to what objects a committee could apply itself, if the motion were to be carried. Appreciating the value to the public of all savings, particularly at this moment of public pressure, he would answer to such question, that, he could not be satisfied with what was done, until full and ample

justice should be done to the public. It remained for him, therefore, to point out the sources of further retrenchment which he had in contemplation, and the objects with which the committee would have to occupy itself, if the motion should be carried. The first great source remaining of farther economy was, to regulate the deposits of public money in the hands of the bank; and the House would judge how far this was practicable. The balances on these deposits were pretty much the same now as they had been for the last ten years: he should call the present aggregate amount eleven millions. This produced a loss to the public of 550,000*l.* From this sum there would be to be deducted 150,000*l.*, for the loan of three millions in 1808 without interest, which was advanced on the specific ground of the right of the public to participate in the profits the bank made of this money. Nothing since had passed precluding the public from making such arrangement with the bank as the legislature might deem advisable. If to the 60,000*l.*, being the one per cent. on six millions, 60,000*l.* being two per cent. on three millions, making 120,000*l.*, they added 150,000*l.* the whole would amount to 270,000*l.*; and, deducting this sum of 270,000*l.* from the 550,000*l.* being the interest on the 11 millions, the aggregate amount of balances, there would remain a sum of 280,000*l.*, which sum the public were now losing on the deposits in the hands of the bank. This sum the bank received for no other than the insignificant service of acting as treasurers to the public. He did, therefore, confidently look to this as a source of very considerable saving to the public.

The next object to which the attention of the committee would be called was, the exorbitant and extravagant rate they were paying the bank for the management of the public money. On this subject he would not now enlarge. They would find the details much better given in some of the parliamentary papers which he should mention; 1st, The report of the finance committee of 1797. 2nd, the luminous and able report of the committee on public income and expenditure in 1807; and 3d, the correspondence between the government and bank, which took place in consequence of that report. From the information which these papers gave them, they would see, that instead of paying 300,000*l.* to the bank, they ought to pay less than one half of this sum; and he confidently looked to

this quarter, therefore, as a source of future saving to the amount of 150,000*l.* per annum. These were the two great sources towards which he looked for further savings. But there were still some other sources of savings which, though small in themselves, on principle he thought they could not well overlook; and in this opinion he was the more confirmed, particularly as since he had had a seat in that House, he had very properly assisted in discussions on the subject of savings of thousands and a few hundred pounds a year; for instance, the discussion last year respecting the reduction of 1,000*l.* a year on the salary to the secretaries of the admiralty, and the discussion respecting the salary to the newly created vice treasurer of Ireland. Since the year 1722 the bank had received charges of management on 4 millions of South Sea debt, which they purchased from that company and added to their capital, and on which all management had ceased. But on this sum, on which there was no management, they received a greater rate of allowance than for the debt on which they had the trouble of transfers and paying dividends. The bank received, too, 800*l.* per million for every loan. This had amounted since the war to 4 or 5,000*l.* a year. The bank, not satisfied with 7*d.* in the 100*l.* for managing the debt, obtained 20*d.* in the hundred pounds in every loan for doing nothing. He hoped he should never live to see another loan; but as it was necessary to make provision for other times than the present, this was another subject which would come under the consideration of the committee. The last item was a charge made by the bank respecting which, if the bank chose to stand on their chartered rights, he knew they could not be driven off; this was a charge which had disgusted the late Mr. Perceval, and indeed the very name of it was disgusting—the bank had received 4,000*l.* a year ever since their origin, as an allowance for house expenses for coals, candles, &c. The bank, however, did not now like this title, but till late years the charge had always gone by this title. They now chose to call it “charges of management.” But they were already paid for managing the affairs of the public. There was no other management but that of their own affairs. The charge of house expenses was as discreditable to the bank as it was unfair towards the public.

He had now gone through the whole items, and he had only in conclusion one

observation to make. In justice to himself, he wished to observe, that throughout these discussions he had been actuated by no feeling but what was of a public nature, and proper for a public man to entertain. He had been moved by an honest care for the interests of the public, by a conviction in his own mind, and a sincere, zealous, ardent, but blameless desire to contribute in his humble sphere, towards the correction of abuses in the expenditure, and the consequent alleviation of the burthens which at present pressed on every individual throughout the whole frame and structure of society. If, on any principle of public faith, the bank were entitled to hold the whole or any part of the sums they now obtained, or if they could show that they were entitled to a remuneration to the extent of what they at present received, in every view of the matter he called on the bank to come forward in support of the motion for a committee, where alone the subject could receive the proper investigation, the errors, be exposed, and the charge of extravagant charges be rebutted. This course would have the effect of setting the subject at rest, and putting an end to the motions on this subject, which he should otherwise, while he had a seat in that House, never cease to bring. He concluded with moving, "That a select committee be appointed to inquire into the engagements now subsisting between the public and the Bank of England, and to consider the advantages derived by the bank from its transactions with the public, with a view to the adoption of such future arrangements as may be consistent with those principles of equity and good faith which ought to prevail in all transactions between the public and the Bank of England, and to report their opinion thereon to the House."

The *Chancellor of the Exchequer* said, that the hon. gentleman had brought forward his motion with a good deal of dexterity, by making an appeal to the bank. He called on the directors of that establishment to adopt a manly line of conduct, and to bring under the closest inspection of the House, all the transactions which that concern was engaged in. Now, he conceived, the *onus probandi* rested on those who called for examination, to state the grounds on which it was necessary; instead of demanding of those, whose transactions were proposed to be made the subject of investigation, to advance rea-

sons for refusing their compliance. If the transactions between government and the bank had not been brought distinctly under the view of parliament; if they had not received as much consideration as could be afforded to any subject—then, certainly, he would allow that the arguments of the hon. gentleman carried great weight with them. But he had himself stated the period when the engagements of the bank were fully considered, and when they received the approbation of parliament. They were completely entered into, in 1807, before the select committee of finance, by whom several useful suggestions were thrown out. Of these, Mr. Perceval had availed himself in the first instance, and he (the chancellor of the exchequer) had always thought himself bound to attend to them, whenever an opportunity occurred. If the hon. gentleman could show, that the engagements between government and the bank had on any occasion, assumed such a character as called for minute parliamentary inquiry—if a rate of advantage were allowed to the bank, which justice did not warrant—then he should have no objection to a motion of this kind. But he had never heard such a charge insinuated except by the hon. gentleman. He had argued, that the profits of the bank were progressively increasing. But it must appear to every person who considered the subject fairly, that the contrary was the case, and that the profits made by the bank in the transactions between them and the government, were absolutely decreasing, and that in a very rapid degree. This was very clear, when the relative value of money, in war and in peace was considered. In time of peace, when the interest of money was lowered, neither the bank nor any other great body could make so much profit by the employment of their capital, as in time of war. He here spoke of profits generally—those of 5 per cent. which the bank had made in some of their transactions with government—as well as those of lower amount. Now, if they were able, during a period of war, to make 5 per cent., the reduction of interest, consequent on peace, must alone have very materially lowered their profits. And it should also be recollected, that the system of discount had likewise undergone a very great alteration. The inference he would draw from these facts was, that the arrangement with the bank, which two years ago was thought

favourable by parliament, must now be considered more advantageous to the public than it was then. With respect to the employment of the balances held by the bank, for the service of the public, he had never heard a plan by which, without the concurrence of the bank, it could be carried into effect. During Mr. Perceval's administration a plan was devised for that purpose, but it was abandoned; and, after giving it his utmost consideration, it appeared to him to be impracticable, unless the bank themselves completely concurred in it. That plan having been thrown aside, Mr. Perceval thought the public ought to derive some benefit from the balances which were placed under the control of the bank, and, in consequence, an arrangement was made, the principle of which was still acted on, although some modification had been made in the details. By that arrangement a sum of money had been borrowed, part of it without interest, and the remainder at a very moderate rate. In the last year the bank lent 6,000,000*l.* to government, at 4*l.* per cent., and 3,000,000*l.* at an interest of 3*l.* per cent. Now, if the arrangement made by Mr. Perceval was calculated to benefit the public, he contended, considering the difference of the periods, that those arrangements which followed were still more advantageous; and he did not think it right to check or impede this system, at a time when less benefit could be derived from the public money, by the bank, than what it must have produced when the bargain was originally concluded. The present time was, he conceived, ill suited for such an inquiry as that proposed. In the last session of parliament, it was determined that the bank should commence payments in cash on the 5th of July, 1818; and there was a clear understanding, that they should begin to make preparations for that purpose. It would be wrong to agree to an inquiry, which would go to lay open those arrangements which the bank had made preparatory to their resumption of cash payments. One of those arrangements they were acquainted with. It was a notice to pay a part of their paper, which had been issued at certain periods. The result of this experiment was very well known. It was found that no very great disposition prevailed to send in those notes, in order to obtain cash; and therefore great encouragement was held out to the bank to persevere in calling in notes of particular

dates. By this means, before the time arrived for a complete resumption of cash payments, it was hoped that there would be such an issue of specie, as would prevent any embarrassment at the bank, and would remove every fear that might be entertained of a deficiency of cash in the country. When the House saw this, he thought, that, instead of making inquiries into contracts, settled at present by act of parliament, they ought to await the completion of the preparations he had alluded to. They ought not to harass the bank to proceed to measures, which, he was sure, they were most anxious to adopt, and which the House had a right to call for, when the proper time arrived. He confessed, when, at the close of last session, considerable benefits were derived by the government from its transactions with the bank—when it was fixed that, on the 5th of July, 1818, they should resume their payments in specie—he did not think they would have been harassed by inquiries, which could have no other practical effect than to disturb existing regulations, and to render the bank less quick, and probably less able, to commence payment in cash, than they otherwise would be. If the hon. gentleman had adduced any arguments, novel in their nature, or which had not already been discussed in that House, he should have entered more into detail, though with some personal inconvenience. But as this was not the case, he conceived the general observations he had made were sufficient for the occasion.

Mr. *P. Moore* said, that the right hon. gentleman had not overturned one of the statements made by his hon. friend, who had called for a committee, that he might have an opportunity of proving every fact he had laid before the House. The committee of 1807, was not formed by the ministry of that day, but originated with a noble friend of his, now a member of the other House. From the report of that committee much advantage had been derived; but it did not go one-tenth so far as it would have done, if the statements of his hon. friend had been in evidence before that committee. Any unprejudiced person, who heard his hon. friend bring forward his statement of facts that night, could have no doubt whatever that he would, if opportunity were given him, prove every one. The vast profit made by the bank at the expense of the country showed the propriety and neces-

sity of the inquiry into which it would be the business of the committee to enter. This corporation, since the 23d of May last, had divided among themselves no less a sum than seven millions sterling. The restriction act, which enabled them to make such profits, was the only difficulty that now stood in the way of an advantageous arrangement for the country, which had increased its distresses, and would enable the corporation of the bank, while it lasted and was enforced, to gain 999,000%. out of every million of their capital.

Mr. *Marryat* supported the motion for a committee of inquiry, on the ground of the advantages which had already resulted from the consideration given by the House to the engagement between the bank and the government, and the discussions to which it led. In 1807 the finance committee entered into an examination which led to a loan of three millions from the bank to the country. During the two last sessions of parliament the attention of the House was repeatedly directed to this subject; the vigilance of the country was awakened; the transactions of the bank with the government became better understood; and the result was, new and great advantages gained by the public. Surely, this history of past results and proceedings offered fresh inducements to inquiry, and urged the House on in the course which had already been so advantageous. Nor was there any reason why we should stop short, or dread any evil in the appointment of a parliamentary inquiry. If the committee appointed to institute an examination into subsisting engagements and transactions should find that the bank was still indebted to the public, and was in justice bound to make farther contributions, a positive advantage would be gained; and if, on the contrary, the result of its inquiries should be, that the public had already participated sufficiently in the profits of this corporation, he was sure no injustice would be done it in demanding more. There were several facts and considerations which convinced him that the former would be the case; that the profits of the bank, which were enormous, were reaped at the expense of the public; and that the bargain which it made with the nation, for transacting its business, was far from being the best. To show that the services of this corporation, in acting as the national bankers, were exceedingly overpaid, he must appeal to the

case of the United States of America, where the national bank, in consideration of the balances of public money in its hands, and the other advantages it enjoyed by the countenance of government, managed the public business for nothing. He might still farther, in proof of the doctrine he wished to establish, mention the fact, that the Globe Assurance Company offered to do the same for this country which the American national bank did for the United States. The saving that might accrue to the public from a change in the present arrangements between the government and the bank appeared to him very important; and the inquiry into its practicability and extent deserved, in his mind, precedence over most other questions of economy. Various points would come before the committee which was the object of the hon. gentleman's motion. The loans advanced by the bank as connected with the bank restriction act, and its termination in a short time, deserved serious consideration. In his opinion, if the bank went on as it was doing, no resumption of cash payments could be anticipated. This would appear evident upon the bare consideration of the time when the restriction act originated, and the circumstances that led to its adoption. In 1797, the bank having previously lent its capital of 11,700,000%. or in round numbers, twelve millions to government, and advanced 10 millions on account of malt duties, could not answer the demands made upon it for the payment of its notes, and was obliged to resort to the protection of the act alluded to. The bank of England was like every other corporation of the same nature; if it advanced its capital to government, and thus put beyond its control its means of answering all demands, it could not make good its engagements, and must be protected by government. The fact accordingly was, that it could not pay its notes in 1797; and whatever an act of parliament might do in removing the restriction then imposed, it could not do so now, nor be able at the termination of the act in July, 1818. It was as incapable to resume cash payments as ever, and from the same cause. They had advanced their capital of twelve millions to government, they had advanced three millions in 1803, and nine millions last year, making in all twenty-four millions, or double the amount of their capital stock. Their capital was, indeed, increased three millions last session, and now amounted to

fifteen millions; but, out of a capital of fifteen millions, no corporation could lend twenty-four, and make good its engagements. The act was to cease at the end of the war. We were told that the peace, by opening an intercourse with the rest of Europe, would enable us to obtain bullion, would restore credit, equalize exchanges, and thus prepare the bank for paying its notes in specie. Peace had been established now for nearly two years, but we were no farther than ever in our progress towards this object. The fact was, that the bank could only continue its advances by the protection of the restriction act. If they continue to lend to government double their capital, they must issue more paper. The system of accommodation must be continued, and what had been ruinous to every nation must prove so to this. The paper would become government paper, and must depreciate in this as in other countries. While the war continued, no great injury might result from such a state of currency; but it could not be continued without absolute ruin in time of peace, with a free intercourse among our neighbours, and the competition of the world against us. With a depreciated currency, produced by the continuance of the restriction act, we must be under-navigated and undersold in all our manufactures, in all our commercial transactions, in all our commodities, in all our products, and in all branches of our industry. Thinking that this subject, as well as the profits of the bank, deserved inquiry, he would support the motion.

Mr. *Huskisson* observed, that the latter part of the hon. gentleman's speech contained arguments which were directed to a different question than that now before the House, and should have been reserved till July, 1818, when the period fixed by parliament for the resumption of cash payments, the subject to which they related, would arrive. There was every reason to believe that the Bank would be able at that time to fulfil the hopes of the House and the country; and till the experiment were tried, there was no necessity for instituting an inquiry, especially after the mature deliberation which the subject had undergone last session. The two hon. gentlemen seemed to be at variance with each other in their statements, although both supported the same measure. The hon. gentleman who spoke last had stated that the bank had advanced 24 millions to government, while its capital was

only 15, and that consequently it could not make good its engagements; while the other hon. mover stated, that it had 11 millions in savings or surplus capital, thus making its capital exceed its loans. There was therefore no danger to be apprehended from its excessive advances. But these sums did not limit the means of the bank: it had private balances in its hands like other banking establishments. The whole amount of its capital was not known, and could not be known. The hon. member who brought forward the present motion, believed that it was very great, as also the amount of its surplus profits. The bank corporation had a right to use their profits as they pleased, and might make advances as they thought they could with safety. He rejoiced to see the period approaching in which cash payments would be resumed, and entertained the most sanguine hope, that it would not be delayed beyond the time contemplated by parliament. He rejoiced at this the more, as the interval between the withdrawing or absorbing of a great part of our excessive circulation, and the return to another state of currency, must be a time of severe pressure, not only in this country but all over Europe. The hon. member who spoke last gave as a reason for inquiry into the profits of the bank, with a view to a more equal participation in them by the public, the circumstance that the bank of the United States of America transacted the public business for nothing. He (Mr. H.) did not know what advantages the government of that country allowed the bank: but to make the comparison as it ought, the circumstances of both establishments should have been stated. It should have been mentioned, whether the bank of the United States allowed the public three millions without interest, and had paid large sums for repeated renewals of its charter. The hon. mover had enlarged on the great profits of the bank during the war, and considered its profits as losses to the public. He had forgotten, that other corporations and societies likewise made great profits. He had complained that these profits were made by the restriction act, and recommended a participation in these profits, because they had accrued from the interference of the legislature. He (Mr. H.), although he allowed these profits were great, thought that it would not be consistent with the dignity of the legislature to share in profits that resulted from a measure which

was enacted not for profit, but security. He objected to a committee of inquiry, because inquiry had already taken place, and none of the facts on which the present motion was grounded were pretended to be new. Almost every account and every fact was before the committee of 1807, which drew up the able report, embodying almost all the hon. member's observations. The House-money and other items were there contained. If, in consequence of the information then collected, and the perfect knowledge of all the grounds on which the public could claim a participation in bank profits, no better bargain was made in 1808, the circumstances were less favourable at present for making an increased demand than then; and this, accordingly, was not a period for revising subsisting engagements, with a view to alter them so as to obtain greater advantages. That they had made large profits he did not deny. At the time he formerly alluded to, government had pressed for a more considerable participation in these profits; but the bank resisted, and he was convinced that, if the demand had been persisted in, government must have adopted a new mode of managing the public business. The hon. mover was, he thought, doing no good by bringing forward such transactions as those into which he now called for inquiry, without laying a foundation for his motion in new circumstances. He had adduced nothing new; no reason for an additional advance that was not before known and considered. The subsisting bargain was made with every endeavour to gain the greatest advantages, and there was no hope of making any addition to them by the continued agitation of the question. If new profits could be stated, if new facts could be brought forward, he allowed that might be good ground for revising the subsisting agreements; but while no such things were mentioned, he saw no reason for renewed discussion, and no necessity for a committee. Specific motions might be brought forward embracing specific objects.

Mr. Manning did not remember these subjects being brought forward on any occasion, when he was not anxious to give the most explicit answer in his power. He thought the hon. gentleman called for a committee without grounding his motion on any substantial reasons. One circumstance appeared to him rather extraordinary. He did not believe that the hon. gentleman was in the habit of attending

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sedition meetings: he must therefore suppose that his pocket had been picked in his passage to the House, and that a document, which he had since read to the House, and which appeared word for word in the British Press, on the 11th of January, the very day on which he had given notice of his motion, had thus found its way into the papers. He contended that the savings which had been effected, were not to be ascribed to the exertions of that hon. member. All the arrangements which had been made, would have taken place if he had not made a single speech in that House. He understood that he had moved that two petitions should be entered as read, one from the county of Cornwall, and the other from the common council of London. There were passages in those petitions, thanking the hon. gentleman for his exertions, and he had seen many paragraphs in various papers, advising the insertion of similar acknowledgments in other petitions. He repeated, however, that none of the arrangements between the government and the bank, had been in the least influenced by the efforts of that hon. member.—With regard to the question of stamps, the transaction was nearly finished which placed them on their present footing, before the hon. gentleman opened his lips in parliament. With regard to the charges of management, the hon. gentleman would see, that there were no extravagant profits now, comparing those that were at present enjoyed with those formerly allowed. While the rate per million for management amounted to the highest sum, the national debt amounted to 650,000,000*l.* The rate had been reduced from 450*l.* per million to 300*l.* for all sums not exceeding 600,000,000*l.*, and 240*l.* for all above; so that on a debt of 800,000,000*l.* the public paid little more than it did on a much less amount. The hon. gentleman, after going over other heads in which a saving to the public might be effected, said, he came to a charge the most disgusting of all, which was the charge for house-expenses. He (Mr. M.) had mentioned ten times in the House already, the origin of this charge, and shown that it had nothing to do with an allowance for house-expenses. He would now re-state what he had formerly so often stated. An act of parliament was passed in 1721, empowering the South Sea Company to dispose of 200,000*l.* of their dividends. The bank had bought

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up 4 millions of the South Sea stock. In 1742 another act was passed, dividing 100,000*l.* of the interest into two portions of 96,000*l.* and 4,000*l.* The latter sum of 4,000*l.* got the name of house-expenses, for a reason he could not tell; but under whatever name it went, it belonged to the bank, as much as the hon. gentleman's real estate or any other property did to him, and could no more be touched by the House without interfering with private and acknowledged rights. With regard to the excessive issue of bank paper, complained of by an hon. gentleman, he might quote the opinion of a gentleman of great experience, the late sir F. Baring, to show how advantageous the bank accommodation had been to the country, and what a stimulus it had given to every branch of industry and prosperity. Having shown that the charges of management were lowered as much as they could be, and that the balances of the public money could not be otherwise employed, he concluded by opposing the appointment of a committee.

Lord *A. Hamilton* supported the motion. The resolution of his hon. friend called for a committee, in order to effect great public savings. He had pointed out various items on which savings might be made, and not one of his statements had been proved erroneous. If it could be shown that the business now transacted by the bank could be executed for half the sum which was paid for it, was it not incumbent on the House to appoint a committee, by which so much money might be saved? The question, in truth, was one more directly affecting the government than the bank; and unless the chancellor of the exchequer was prepared at once to deny that any saving could be effected for the public, in the mode of arranging their accounts with the bank, it was impossible for him to meet this motion with a negative.

Alderman *C. Smith* opposed the motion.

Mr. Grenfell in reply, observed, that the main argument of the chancellor of the exchequer went to this, that the agreement made between government and the bank, in 1808, was final and conclusive, and that the hands of the House were tied up from making any further arrangement on the part of the public, as to the management of their accounts or balances. *Mr. Grenfell* said, he was not aware that the act of 1808 contained any provision of

so final or conclusive a nature; nor did he see what was to prevent that House, if a committee saw that exorbitant charges were drawn for the management of the public debt, from altering or reconsidering the subject, with a view to a more frugal and economical arrangement. The right hon. gentleman had also intimated, that nothing could be done in the matter without the previous consent of the bank directors. This, for aught he knew, might be the opinion in Downing-street, but he trusted that no such preposterous notion would be countenanced in that House, which ought to proceed in the consideration with or without the consent of one of the parties most interested in the result. A right hon. gentleman had alluded to what had fallen from an hon. gentleman near him, on the subject of the bank of America. Now he had lately read a copy of the charter of that bank, and he could tell the right hon. gentleman, that it contained a clause, by which, in consideration of the advances of public money, of which it had the benefit, the bank agreed to pay the dividends and manage the whole national debt for nothing; and further, that the bank of America paid, or agreed to pay, a certain stipulated remuneration for the renewal of its charter. An hon. bank director had said, that he had not given notice of his intention to the parties who were to be affected by the motion; now, the contrary was the fact, for he had communicated a distinct view of the nature of his motion to the governor of the bank a fortnight before the first day for which its discussion had been fixed. The hon. bank director was also very entertaining with his allusions to reforms and seditious meetings. What these had to do with the question before the House, he would leave all who heard him to determine. The hon. director could not, he supposed, have meant to insinuate that he was a party to such meetings, for no man regretted them more than he did, or was a greater enemy to those wild, ridiculous, and nonsensical ideas of reform that were preached about among the people, or was more ready to support the constitution. The hon. director had said, that the stamp duty arrangements of the bank had been matured before he (*Mr. G.*) had alluded to the topic in that House; it was, notwithstanding, very strange, that when the matter was first touched upon, the member for Surrey (*Mr. Thornton*) had given a very different explanation of the arrangement from

that which actually appeared to have been entered into by the bank, and had at the same time resisted that principle, from the adoption of which the public had since derived so much advantage. He (Mr. G.) had been also contradicted in the statement, that the bank derived a profit of 300,000*l.* from the management of the public debt. In fact he had not mentioned the precise sum of 300,000*l.*; but had generally stated that it was near such a sum, for up to last November it was calculated at exactly 282,000*l.* It was quite erroneous for the hon. director to state that the public derived an advantage amounting to 500,000*l.* from the different advances made by the bank for the public service, at a reduced rate of interest; for ever since the year 1746 they had been in the habit of making advances on these terms, in consequence of their exclusive privileges as public bankers, and they had continued to do the same for similar reasons since the renewal of the charter. From a review of all the objections that he had heard urged, he saw no reason to depart from his original intention, and would therefore call for the decision of the House upon the motion which he had the honour to submit.

Mr. Manning, in explanation, begged merely to say, that he had no intention whatever to impute to the hon. gentleman the remotest connexion between his sentiments and those of certain persons out of doors. As to the statement which appeared in the British Press, of the 11th of January, he supposed it had dropped out of the hon. gentleman's pocket, and had thus found its way into publicity.

The House then divided :

For the motion 40

Against it 90

Majority 50

List of the Minority.

Bankes, H.	Jones, John
Babington, T.	Lamb, hon. W.
Blair, J. H.	Lockhart, J. I.
Browne, D.	Marryat, Jos.
Bennet, hon. H. G.	Mackintosh, sir J.
Brand, T.	Martin, Henry
Carter, John	Martin, John
Caulfield, hon. H.	Monck, sir C.
Dickenson, Wm.	Morland, J. B.
Duncannon, visc.	Moore, Peter
Folkestone, visc.	Newman, R. W.
Frankland, Robt.	Ossulston, lord
Guise, sir Wm.	Prittie, hon. F. A.
Halsey, Jos.	Ponsonby, rt. hon. G.
Jervoise, G. P.	Rashleigh, W.

Romilly, sir S.	Wilberforce, W.
Russell, lord W.	Webb, Ed.
Scudamore, R.	Wynn, C. W.
Smith, Robt.	TELLERS.
Smith, Wm.	Grenfell, Pascoe
Smyth, J. H.	Hamilton, lord A.
Tierney, rt. hon. G.	

MOTION RELATING TO THE PAYMENTS IN SPECIE BY THE BANK]. Lord *Archibald Hamilton* rose to submit a motion, which could not, he imagined, lead to a diversity of sentiment. It was, "That there be laid before this House, a copy of any notice given by the directors of the bank to the public in the year 1816, respecting any payment of their notes in specie; also an account of the amount of specie which in consequence of such notice the said company of the bank became liable to pay on demand; and an account of all specie actually paid in consequence of such order, to the latest period the same can be made out." The noble lord stated, that his object in calling for these returns was, to demonstrate the opinions he entertained upon the subject. It might be said, that the information he sought ought to remain a secret with the bank directors, who were its proper depositories, and in whom the utmost confidence should be placed. For his own part, he confessed that he could not pay implicit confidence in those personages, and that his experience taught him rather to distrust their proceedings. The noble lord, in illustration of his opinion, adverted to the evidence given by certain of the directors before the bullion committee, who broadly affirmed, that it was immaterial to the bank, whether the restriction was continued in perpetuity, or at once withdrawn. In calling the attention of the House to this subject, he did so from a conscientious feeling, that the prosperity of the country was connected with the affairs of the bank. His own experience convinced him that the interest and prosperity of the affairs of the bank, and those of the country, were mutually connected, but acted upon in an inverse ratio. The prosperity of the bank always kept pace with the distresses of the country. The one decreased as the other advanced, and so the operation of cause and effect would continue as long as the present mode of management was protected. The entire regulation of the bank affairs should not be vested in the directors, to the exclusion of the interposition of that House in behalf of the public. The noble lord

proceeded to point out the baneful effects that were endured by the public from the influence of the bank upon the circulating medium of the country, which was at one moment greatly augmented, and then suddenly withdrawn by the operation of the issue or recall of paper money. Admitting that bank paper had not been depreciated, was there no evil in the fluctuation which was incidental to the present course of things? Was the transition of price, in the articles of life, no evil for the public? Or had it not produced the greater part of the distress which all now deplored? He would ask, whether the country had not borrowed money at a rate of 15s. in the pound, and was now paying it at a rate of 20s.? His present object was merely to seek information, and he only required the addition of dates and sums to the information already communicated to the public. He was far from requiring any improper interference with the concerns of the bank; he merely wished to protect the public from a serious loss in the management of its general accounts. The noble lord concluded by putting the motion with which he set out.

The *Chancellor of the Exchequer* expressed his anxiety for the resumption of cash payments at the bank. As to the motion before the House, nothing, in his opinion, could be more improper than any inquiry on the part of the House into the preliminary means by which the bank prepared to carry its intention of resuming cash payments into effect. It was impossible that the bank could at any time resume those payments, without being furnished with ample treasure for the purpose. The particular transaction to which the noble lord's motion, referred was highly creditable to the bank, for it showed the sincere disposition of the directors to pay in specie at the earliest possible moment. Their notice stated their readiness to pay a part of their notes in this manner; and the right hon. gentleman here repeated his former observation relative to the smallness of amount which was demanded from the bank, in consequence of the notice alluded to. The resumption of cash payments could only be undertaken with great confidence in the public; and how could this confidence be maintained if parliament, in the face of the public, should exhibit a jealousy and want of confidence in the directors? This would overturn the whole arrangement for resuming cash payments, and do as much injury to the re-appearance

of the metallic currency, as could be effected by an absolute prohibition. The bank had been now six months preparing to collect the treasure necessary for resuming cash payments, and they were thus to be interrupted in their first public step. If public circumstances continued, as there was every likelihood they would the bank, would be able to pay in specie on the 5th July 1818. If the state of exchange continued to improve, and the price of bullion to fall, there could be no doubt that this resumption would take place. In this state of things, with the drain which necessarily was taken from the country by non-residents, by the consumption of the British army beyond the allowance paid by France government was yet able to issue two millions and a half of silver currency; there were, then, the most sanguine hopes that the bank would be able to carry its intentions into effect. If the noble lord's motion were acceded to, it would be only the prelude to others, which would interfere with the existing state of the arrangements making for the resumption of cash payments. He would therefore oppose it.

The motion was rejected without a division.

ATTENDANCE OF MEMBERS AT ELECTION BALLOTS.] Mr. *Wynn* moved, "That upon days appointed for taking into consideration any Election Petition, no member be allowed to depart from the House, from the time when Mr. Speaker shall begin to count the House, until either the order for the consideration of such petition be discharged or adjourned, or till the list of forty-nine members be completed."

The *Chancellor of the Exchequer* expressed his warm approbation of the motion. It was highly disrespectful and unbecoming, that members should go away under such circumstances; and he was sure that gentlemen, on reflection, would see the necessity of some regulation on the subject.

The *Speaker* in putting the question, suggested the propriety of giving the sergeant at arms authority to tell members who might be leaving the House that they were acting inconsistent with their duty, and with the rules of the House.

The question was put, and agreed to.

HOUSE OF LORDS.

Friday, February 21.

REPORT OF SECRET COMMITTEE—

MR. CLEARY'S PETITION.] Earl Grosvenor said, that a petition had been put into his hands, to be presented to their lordships, to the matter of which he was anxious to call their particular attention before they proceeded to the order of the day. The petition was from Thomas Cleary, the secretary to the London Union Society; and he was the more anxious to call their lordships attention to it now, because it might perhaps be the only opportunity which the individual might have of doing himself and others justice, before their lordships should have adopted measures founded on the report of the secret committee; and he had been given to understand since he came into the House, that it was the intention of ministers to propose the suspension of the Habeas Corpus act. When this report of the secret committee had been first read at the table, he had contended that the evidence on which the committee had founded their conclusions ought to be laid before their lordships, to enable them to judge whether these conclusions were supported by the evidence, before they adopted measures upon it; because, in a matter of such magnitude, it appeared to him that they ought to legislate cautiously, and, he might almost say, less violently than seemed to be at present in contemplation. The noble president of the council at that time met him with statements of practice and usage. He spoke then merely from a feeling of the gross impropriety of acting upon the report, without satisfying themselves, from inspection of the evidence, that the conclusions were just: but he was now provided with a precedent—that of 1794, when a very strong report, and also the evidence were produced. It had occurred to him, when he first heard the report read, that much of it consisted of inference from facts, rather than a statement of facts; and that it was therefore peculiarly desirable that their lordships should see the evidence. This feeling was considerably strengthened by the statements, in this petition, which might be true for any thing he knew to the contrary. Whether they were so or not, he could not take upon himself to say; but if they were true, they would not only throw considerable suspicion on the evidence from which the committee had drawn its conclusions, but show that very great injury had been done to the individual who now petitioned, as well as to other persons.—His lordship then read the petition as follows:

“To the Right Honourable the Lords Spiritual and Temporal of the United Kingdom of Great Britain and Ireland in Parliament assembled.

“The Petition of Thomas Cleary, Secretary to the London Union Society.

“Humbly sheweth, That it is with great reluctance, as well as humility, that your petitioner offers himself to the notice of, and prays for a hearing from your right honourable House; but that your petitioner, though a very humble individual, feels himself impelled by a sense of imperious duty, to beseech your right honourable House to pause, and to hear further evidence, before your right honourable House proceed to adopt legislative measures upon the report, now on the table of your right honourable House, from your late secret committee.

“Your petitioner begs permission humbly to state to your right honourable House, that he has read in the aforementioned report of the secret committee of your lordships, the following passage; to wit:

“‘Others of these societies are called Union Clubs, professing the same object of parliamentary reform, but under these words understanding universal suffrage and annual parliaments—Projects which evidently involve not any qualified or partial change, but a total subversion of the British constitution. It appears that there is a London Union Society, and branch Unions corresponding with it, and affiliated to it. Others of these societies have adopted the name of Spencean Philanthropists; and it was by members of a club of this description that the plans of the conspirators in London were discussed and prepared for execution.’”

“Your petitioner presumes not to oppose his opinions against those of a committee of your right honourable House; but he hopes, that he may be humbly permitted to state, that when a bill was brought before your right honourable House by the late duke of Richmond, laying it down as a matter of principle, that annual parliaments and universal suffrage were the inherent and unalienable rights of Englishmen, the noble duke was not accused of a desire to produce “a total subversion of the British constitution.”

“It is not, however, on matters of opi-

nion, but on matters of most important fact, that your petitioner humbly appeals to the candour, the wisdom, and the justice of your right honourable House, and on matters of fact, too, with regard to which your petitioner is able to submit to your right honourable House the clearest and most indubitable testimony.

“Your petitioner’s entire ignorance of the views of the secret committee of your right honourable House, as well as his profound respect and extreme deference for every thing done within the walls of your right honourable House, are more than sufficient to restrain your petitioner from attempting even to guess at the reasons for your committee’s having so closely connected the ‘London Union Society’ with the societies of ‘Spencean Philanthropists;’ but your petitioner humbly begs leave to assure your lordships, that he is ready and able to prove at the bar of your lordships, that there never has existed, between these societies, the smallest connexion of any sort, either in person or design, the object of the former being to obtain “a parliamentary reform, according to the constitution,” while that of the latter, as appears from the report of your lordships committee, has been to obtain a common partnership in the land; and that, therefore, any evidence which may have been laid before the secret committee of your lordships to establish this connexion, is, as your petitioner is ready to prove at the bar of your lordships, wholly destitute of truth.

“But the facts to which your petitioner is most anxious humbly to endeavour to obtain the patient attention of your right honourable House, relate to that affiliation and correspondence, which your lordships secret committee have been pleased to impute to the London Union Society, by observing that “it appears that there is a London Union Society, and Branch Unions, corresponding with it, and affiliated to it;” a description which seems, in the humble conception of your petitioner, to resemble that which was given of the London Corresponding Society, in 1795, and which, as your petitioner humbly conceives, point to measures of a nature similar to those which were then adopted; and your petitioner, though with all humility, ventures to express his confidence, that the evidence which he doubts not has been produced to your lordships secret committee to justify this description, is wholly and entirely false, as your petitioner is ready

to prove, in the most satisfactory manner, at the bar of your right honourable House.

“Upon this important point your petitioner humbly begs leave to represent to your right honourable House, that the London Union Society was founded in 1812 by Mr. Edward Bolton Clive, Mr. Walter Fawkes, the late colonel Bosville, Mr. Montague Burgoyne, the present lord mayor, Mr. Alderman Goodbehere, Mr. Francis Canning, Mr. William Hallet, sir Francis Burdett, major Cartwright, Mr. Robert Slade, Mr. Timothy Brown, Mr. J. J. Clarke, and several other individuals equally respectable; that it continued to hold meetings but a very short time; that it never did any act except the publishing of one address to the nation on the subject of reform; that it never had any one “Branch;” that it never held any correspondence either written or verbal with any society of any sort; that it never was affiliated to any society, or branch, or any body of men whatsoever; finally, that it has not even met for nearly three years and a half last past; and, of course, that it is not now in existence.

“What, then, must have been the surprise and the pain of your humble petitioner, when he saw, in the report of your lordships secret committee, this London Union Society represented, not only as being still in existence, but busily and extensively at work, establishing branches and affiliations, carrying on an active correspondence, infusing life into societies of Spencean Philanthropists, and producing, by these means, plans of conspiracy, revolution, and treason! And, though your petitioner is too well assured of the upright views and of the justice of every committee consisting of members of your noble and right honourable House not to be convinced that very strong evidence in support of these charges must have been produced to your lordships secret committee, your petitioner cannot, nevertheless, refrain from expressing most humbly his deep regret, that your lordships committee should not have deigned to send for the books and other testimonials of the character and proceedings of the London Union Society; and your petitioner humbly begs leave to observe, that this omission appears singularly unfortunate for the London Union Society, seeing that the secret committee of your lordships appear, in another part of their report, to lament the want of means of obtaining the written proceedings of societies, and seeing

that it was natural to expect, that a society having branches, an affiliation and an active correspondence, had also a copious collection of written documents.

"Your petitioner is aware, that he has trespassed too long on the patience of your lordships; but, well knowing that your lordships seek only for truth as the basis of your proceedings, he humbly hopes that you will be pleased to excuse the earnestness of his present representation, and he also presumes humbly to express his hope, that your lordships will be pleased, in your great tenderness for the character and liberties of his majesty's faithful subjects, to consider whether it be not possible that your secret committee may have been misled, by what they may have deemed good evidence, as to other parts of their recent report; and, at the least, your petitioner humbly prays that your lordships will, in your great condescension, be pleased to permit your petitioner to produce all the books and papers of the London Union Society at the bar of your right honourable House, where your petitioner confidently assures your lordships that he is ready to prove all and singular the allegations, contained in this his most humble petition.

"And your petitioner will ever pray.

"THOMAS CLEARY."

His lordship observed, with regard to the petition he had just read, that it contained statements which it was of the utmost importance the House should thoroughly examine, because if these statements were correct, the secret committee must have been imposed upon. He had the highest respect for the members of that committee, but they might easily have been misled by false evidence, persons desirous of courting the favour of the House.

The Duke of Montrose rose to order. He considered it highly disorderly to impute to the members of a committee appointed by their lordships any motives, such as courting the favour of the House, which could influence them in the discharge of a public duty.

Earl Grosvenor said, if the noble duke had allowed him to finish his expression, it would have been found that he had no intention whatever of imputing motives to the members of the committee. All he meant to say was, that persons with a view of courting the favour of that House, of courting the favour of ministers

(for what was intended but to give ministers additional power), might state to the committee what was not the fact, and that thus the committee might have been misled. This was his view of the subject, and it was most important that such a consideration should be adopted by the House. Was it to be endured, that upon statements made by any committee to that House, and which statements were offered to be proved at the bar to be untrue, the liberties of the people of England were to be placed at the disposal of Mr. Canning, Mr. Bragge Bathurst, lord Castlereagh, and their colleagues?

The Duke of Athol rose to order, and put it to the House, whether it was consistent with the order of their proceedings, that motives should thus be imputed to individuals?

Lord Rolle also rose to order, and asked whether it was fair thus to attack individuals, who not being members of that House, could not defend themselves?

The Lord Chancellor declared the allusion to Mr. Bragge Bathurst, &c. to be most disorderly, nor could he consent to remain ten minutes longer in the situation which he held, if the House decided it to be in order. Nothing, indeed, could be more disorderly than the whole proceeding on this petition, which purported that the petitioner knew of a proceeding of that House, which he could not, consistently with the orders of the House, know any thing about, the report having been presented for the use of the members of that House, and of them only.

Earl Grey said, it appeared to him, that those who now stood forward in support of the orders of the House were themselves the violators. What his noble friend had said contrary to order, he had yet to learn. He did not hear him impute improper motives to any man. What he understood him to say, and which he was ready to repeat after him, was this, that the effect of the measure now in contemplation would be to leave the liberties of the country at the mercy of the ministers of the crown. Then his noble friend had named certain members of the other House—whether discreetly or not was for his own consideration; but he believed it was not contrary to order to name in that House members of the other House. It appeared to him, therefore, that his noble friend had been most improperly interrupted, and chiefly by the learned lord on the woolsack, whose

duty it particularly was to take care that the orders of the House should be attended to. When a noble lord was called to order, then, before any other noble lord spoke, the noble lord so called to order ought, without interruption, to be allowed to give such explanation to the House as he thought proper.

The *Lord Chancellor* said, that whatever might be the objects of persons out of the House, he was sure that no individual within it could think of promoting their objects by the introduction of disorderly proceedings in that House; but a more disorderly proceeding than this he had never witnessed. He denied that he was particularly called upon to take care that the orders of the House should be attended to; although he admitted that such was his duty equally with that of any other noble lord in the House. The noble lord had stated, that it was in contemplation to suspend the Habeas Corpus act. Had any thing been as yet said about the suspension of that act? If the report of the committee of the House of Commons had been brought up and laid on their lordships table, then he admitted that the noble lord might have referred to the proceedings, and mentioned the names of members of the other House: but no communication of the Commons report had been made to them, and they knew nothing whatever of it; therefore it was disorderly to refer to it. With respect to the report of their lordships committee, it had been ordered to be printed for the use of the members of the House only; and the petitioner could regularly know nothing of it. In his anxiety to see the orders of the House enforced, he might perhaps go too far; but he conceived that he was perfectly right in calling the noble earl to order; and if he was wrong, he was so far wrong, that he wished the House to say whether he was right or wrong, that he might know his situation.

Lord Holland said, that the speech of the learned lord who had just sat down, made in support of the orders of the House, was itself eminently disorderly. When any noble lord was called to order, the usage was, that no other lord should speak till that noble lord had an opportunity of giving the proper explanation; but, instead of arguing that point, the learned lord proceeded to charge his noble friend with being disorderly for having brought up the petition, and read it to

their lordships in the present state of their proceedings. But if it was disorderly to have introduced the petition at all, then, if they meant to insist upon that point of order, his noble friend ought to have been interrupted before he stated the petition; but after that had been suffered to pass, it ought not to be made a ground of interruption, with reference to an entirely distinct point; for nothing could be more disorderly than, in rising to order on one point, to proceed to argue on another point, with respect to which there had been no call to order. Now, whether the learned lord was in a particular manner bound to take care that the orders of the House should be enforced, or was in that respect merely on a footing with the other peers, this was clear—that his noble friend having been called to order, he ought to have been heard in explanation without interruption: but yet his noble friend had been interrupted in a manner which had prolonged a most disorderly conversation.

The *Earl of Liverpool*, notwithstanding all he had heard, maintained that the whole proceeding of the noble earl was disorderly; first, in his bringing the petition before the House, before the report of the committee could have been regularly known; second, in referring to measures as about to be proposed, of which the noble earl could, as yet, regularly know nothing. According to the strict rule of order, the noble earl might certainly have been interrupted at the outset; but for the sake of general convenience, there was always a disposition to indulgence in this respect, and therefore the noble lord had been suffered to proceed with the statement of the petition. The point, however, in which he conceived the noble earl to have been particularly disorderly was this; that the noble earl had grounded his statement on an assumption that measures were in contemplation of which he could, as yet, regularly know nothing. All that the noble earl knew was, that the secret committee had made a report, which was read in that House, which was ordered to be printed for the use of the members of that House, and which was to be taken this night into consideration; and yet the noble earl had cast an imputation on the ministers of the Crown, on a ground of which he could regularly know nothing. He knew that, for the sake of convenience, measures intended to be proposed to parliament were some-

times previously communicated to individuals in conversation and otherwise; and in ordinary cases he would not have objected to an allusion to such projected measures; but if the noble earl had experienced the indulgence of the House, he had made a most unjustifiable use of that indulgence, in throwing out imputations against the ministers of the Crown, and even casting a personal odium upon certain members of the executive government, to whom the exercise of the powers which it might be necessary to concede, would not immediately and directly belong. This was the substance and truth of the matter, and there could be no question but that the proceeding was disorderly. The noble earl ought not to have taken advantage of the indulgence of the House, to throw out these imputations against the ministers of the Crown, on the assumption that measures were to be proposed of which he could know nothing.

Earl *Grosvenor* maintained that he was perfectly in order in making the allusion he did. He should have been utterly out of order to have named peers in that House, and he merely, therefore named those ministers who were in the other House. With regard to the petition he had presented, he contended it was of the greatest importance, particularly with a view to the measures to be founded upon the report of the secret committee, that it should be ascertained whether the allegations in that report were correct or not. The petitioner was now at the bar with the papers and books of the London Union Society ready to present them; ready also to adduce evidence, that with regard to that society the allegations in the report were unfounded, and he trusted their lordships would allow that testimony to be received. His lordship concluded by moving that the petition be read.

The Lord Chancellor was proceeding to object to the petition being received, when the earl of Lauderdale spoke to order, stating that the only question was, that the petition be read. The lord Chancellor admitted this, and said he had no objection to the petition being read. The petition was then read by the reading clerk at the table; after which, earl Grosvenor moved, that it should lie on the table.

The Lord Chancellor objected to receiving the petition. Whatever might be the conduct in other societies, it was peculiarly incumbent upon that House to maintain inviolate the rules and orders of

their proceedings. If he stood alone, he would be found advocating the maintenance of those rules and orders which formed the only safeguard for the regularity of their proceedings. The report of the secret committee had only been printed for the use of their lordships; it was a proceeding confined within that House. How, then, could it be endured, that a petition should be received quoting a passage in that report, and calling upon the House to receive evidence in contradiction to it. Such a proceeding would be most irregular and disorderly, would be in contradiction to all their orders, to all their established rules, and to the constitution, if he understood it. He could not, therefore, consent to receiving any such petition; and should the House agree to receive it, he should feel it his duty to enter a solemn protest against the proceeding.

Earl *Grey* said, he entirely agreed with the noble and learned lord as to the maintenance of the rules and orders of that House, nor should the noble and learned lord stand alone in maintaining them. With the opinion of the noble and learned lord, however, that to receive this petition would be contrary to those rules and orders, and contrary to the constitution, he could not agree. He understood the constitution in a different sense. He had always understood it to be a principle of the constitution that no subject of the realm should suffer a wrong without the means of redress; but how would the case stand, if in such a case as this the subject was debarred from his right of petition. In consequence of the publication of reports of committees of parliament affecting the character of Mr. Horne Tooke, that gentleman brought an action against the publisher of those reports. When the case came on for trial before lord Kenyon, then lord chief justice of the court of King's-bench, that learned judge at once refused to let the proceeding go on, stating that the proceedings of parliament were not cognizable in courts of law; and as he sometimes happily applied quotations, he made use of one in that instance, observing, that were the proceedings in parliament to become cognizable in courts of law, then "Chaos is come again." It having thus been determined that the subject, however his character might be affected by any proceeding in parliament, had no redress in a court of law, where was he to obtain redress except in parliament? It

was in vain to say that he had no right to know what was passing in parliament; it was well known, that in point of fact, the proceedings of parliament did in some way or other go forth to the public; and was it to be endured that a technical objection was now to be set up to deprive the subject of his right of petition? Was it meant to be said, that with regard to a bill (which was as much a proceeding within the House as the report of a committee) the subject was on such a ground not to be allowed to petition against it? Was it to be endured, that if a bill for the suspension of the Habeas Corpus was brought in, and not printed, for instance (the case with former bills of that nature), that the subject should not be allowed to petition against it, because it was a proceeding in the House of which no one out of the House had a right to know any thing? If such an objection were at all applicable, it must equally apply to all bills, to all debates, and to every proceeding within the House. What was this but denying altogether the right of petition to the subject? He knew nothing with regard to the petition now before the House, whether the allegations it contained were true or not, but at least they were of great importance, when it was considered what measures were in contemplation, particularly if the report of the committee were to lead to the suspension of the Habeas Corpus. Surely, in such a view of the question, it was of the utmost importance to ascertain whether the statements in the report were well founded or not. He therefore was of opinion that the petition ought to be received.

The Earl of *Harrowby* did not think it necessary to follow the arguments of the noble earl, or to go through the statements of the petition. He should merely confine himself to the question of the order of the proceedings of the House, which it seemed to be the fashion, to call a technical objection. He could not so consider it, the objection arising out of the essential forms of the House, which it was of the highest importance to their proceedings should not be infringed. Such a question as this, besides, ought to be considered with a view to its consequences, and what must be the result if they received this petition? It would no doubt be followed by petitions from all the societies alluded to in the report, the Hampden Clubs and the Spencean Philanthropists, which would tend to embar-

ass their proceedings in a manner altogether unprecedented, and, at a moment involving the safety of the country, might be productive of the greatest public danger. He therefore saw no reason whatever for receiving this petition.

Lord *Holland* was decidedly of opinion, that no sufficient reason had been urged why this petition should not be received. On the contrary, every reason, in his view of the subject, combined to urge its reception. He was as great an advocate as any noble lord for the maintenance of the rules and orders of their proceedings; but was it to be endured, that a rule was now to be practically applied for the first time, in order to do away the subjects right of petition? It had been already clearly shown, that for an injury done to the character of an individual by proceedings in parliament, he had no remedy in a court of law; and would their lordships take away all remedy by refusing the only means of redress, that of petitioning the House? It might be said that their proceedings were not public; but when it was known to every one that their proceedings were public, was it any answer to an individual to say, that he had no right to know what passed in that House, when he found himself in the ordinary intercourse of society deprived of his character in consequence of the publication of these proceedings? It was true that the committee had properly abstained from naming individuals, but the principle remained the same; the petitioner petitioned on behalf of himself and other respectable individuals connected with him to remove the stain upon them which resulted from the report of the committee, and surely the common and ordinary rules of justice demanded that they should be heard in their defence, and to disprove the allegations of the report involving their characters and conduct. He thought, therefore, the House were bound in justice to receive the petition and the evidence tendered.

Earl *Grosvenor* said, he had heard no adequate reason whatever, why this petition should not be received. The report stated allegations, which it was alleged in the petition were untrue; was it not therefore of the greatest importance to ascertain the point? It was in vain to say that they did not know what measures were in contemplation; they had a right to consider the possibility of the suspension of the Habeas Corpus being resorted

to, in consequence of this report; and in this view it became of still greater importance to the public welfare, and to the liberties of the people, that it should be ascertained by evidence, whether the allegations in that report were founded or not.

The Earl of *Lauderdale* observed, that the noble lords who opposed receiving the petition, did not prove that either in the details of its allegations, or in the spirit of its prayer, it attacked the forms of that House. What was, then, the ground of their objection? That it adverted to certain proceedings of that House, which the House alone was presumed by its forms to know. The objection, if it had force, was equally hostile to any petition being presented against bills. Indeed, there was no parliamentary proceeding against which, if justified, it would not be hostile. There was nothing in the stages of parliamentary progress lower than petitions on subjects to be entertained; yet the usage of parliament was, to receive counter-petitions. On resolutions of committees, frequently on reports of committees, it adopted the same course. He recollected well, that in the instance when a committee of that House reported the well-known Irish propositions, petitions, as numerous as were ever on any occasion presented, were received by that House, and that before any legislative measure, or any formal promulgation of such intention, was adopted by parliament.

The Duke of *Athol* briefly adverted to some passages in the petition, which he considered highly disrespectful to the committee of their lordships House, and formed a justifiable ground, even without any reference to the forms alluded to, for its rejection.

Lord *Erskine* said, that he could not understand upon what principle the petition could be rejected, unless its language had been held to be insulting or disrespectful to the House. He could surely not be suspected of any vexatious opposition to government, since he had not been even once in his place during the last session, and for this short reason, because, though he could not change his opinions of the impolicy of the wars against France which it was too late to reconsider; yet he thought ministers entitled to credit for the successful termination of hostilities, and considering the period to be not then arrived for the adoption of a peace establishment, he had no object for attendance.

He desired to deal with ministers as they ought to have dealt with the people, by a judgment upon the overt acts of their administration, which he was very sorry to say were now of a most unjustifiable and alarming description. He was in a distant part of the country when he learned only from the public papers his majesty's message, and the appointment of a committee to consider it.—When the atrocious attack was made upon the Prince Regent, which might have been the treason of a single miscreant, though surrounded by mischievous people that the ordinary police might have dispersed, the country appeared every where else to be in the most profound tranquillity, and the petitioner, though guilty of no manner of offence, yet finding himself implicated by the report, only desired to offer his exculpation, and to support it by proof. Now, if a petition, having this justifiable object, ought to be rejected to night, because it referred to our report, could a petition referring to it be received at any future period; and was it just, that though immense bodies of peaceable subjects were stigmatized upon *ex parte* evidence, and their liberties abridged upon its authority, yet that they might be told they had no right to know any thing of the matter? The report of the committee had made an almost universal charge of treasonable conspiracy against the petitioners for reform throughout the whole kingdom. He desired to read the passage: "Others of those societies are called Union Clubs, professing the same object of parliamentary reform, but under these words understanding universal suffrage and annual parliaments,—projects which evidently involved not any qualified or partial change, but a total subversion of the British constitution." Now, though no man was more decidedly adverse to the alterations prayed for, which were nothing like a restoration of either the principles or practice of former times, yet even if their adoption had a tendency to the subversion of the constitution, or if adopted, would even certainly subvert it, yet he was wholly at a loss to conceive how men could be justly charged as traitorous conspirators for entertaining absurd opinions, which they only petitioned parliament to sanction, leaving their rejection on the legislative wisdom of their country. When, therefore, they found themselves charged in the Journals of parliament with treasonable combinations to maintain them by

rebellious force, he could not comprehend upon what principle their exculpation was to be rejected. He had himself presented a petition, signed by above 20,000 inhabitants of Glasgow and its neighbourhood, and he found them also accused by the report as traitors to the state. Should they also resist such an accusation, he should think it strange if they were not to be heard.—But the main stress of the objection seemed to be that they could not take notice of this report which condemned them; but the contrary had been decided, as truly stated by his noble friend (earl Grey), in the case of Mr. Horne Tooke. He was present himself when it was held by the whole court of King's-bench, that every subject of the realm having a right to know, and, unless prohibited by parliament, to publish its transactions, the charge of a libel could not be supported against a publisher, who, in that instance, had only printed what he copied from the Journal of the House of Commons. The petitioner, therefore, having a right to refer to the report of the committee, and being severely inculpated by it, had a right also to be heard in his defence. The numbers also had been objected to, which such a claim of petitioning might involve; but that objection did not lie in the mouths of those who made general accusations. If he (lord E.), were to say in a large assembly, that there was not an honest man to be found in it, and an individual desired to be heard, could he be allowed to refuse him, by saying he must then hear them all? Certainly he must in that case hear them all, whatever might be their numbers from the generality of the charge.

The Earl of *Darnley* said, that, in his opinion, the arguments adduced by the noble lords opposite, were completely refuted by the spirited and argumentative speech of his noble friend (earl Grey). The petition was couched in respectful language; it distinctly stated that the committee had received, from some quarter or other, evidence that was not true; and it called for an inquiry into all the circumstances. In what a situation, then, would the committee be placed, if, after this was alleged, their lordships should reject the petition! The petitioner stated that they were ready, and able, and willing to prove, on oath, at the bar of the House, that the report of the secret committee, as far as it related to the Union Society, and the ramifications of that society, had not

any foundation in fact. When a report was presented, on which measures might be founded hostile to the liberty of the subject—measures that might go to deprive the petitioner of liberty—was it not proper that he should come forward, and, in respectful language, declare, that he was ready to be heard at the bar, on oath, and to point out those fallacies on which the committee had proceeded? His noble friend had justly observed, that it was most important, at the present moment, that the legislature should show a particular willingness to redress grievances; and he called on their lordships, for the sake of the people of England, for the sake of justice, for the sake of their own purity of character, to receive this petition. Whatever feeling their lordships might entertain of the magnitude of the danger that threatened the country, from dissatisfaction and discontent, of this he was sure, that parliament in adopting measures on this occasion could not proceed with too much caution. They ought to prove, that while, on the one hand, they were determined to enforce the law, they were, on the other, most anxious, by every means in their power, to protect the liberties of the people. “If,” said his lordship, “you reject this petition, I confidently assert, that you will not do justice to the people of this country—that you will not do justice to yourselves.”

Earl *Grey* observed, that it appeared to some noble lords as if there was no distinction to be made between the committee of their lordships House and the evidence that was produced before that committee. In his contemplation, there was a very manifest distinction, and on that distinction the petitioner seemed to ground his respectful application. He did not arraign the proceedings of the committee, but he offered to contradict the evidence it had examined. His petition alleged, that he has himself been misrepresented; and thus aggrieved, what other means were left him to defend himself from the injury, but the very course he has pursued? Against this course the learned lord on the woolsack has met the petitioner with a new point of form, which he would contend had no foundation in any former precedent of their lordships' House. The question itself was of such serious importance, that he could not help pressing it upon the deliberative judgment and calm consideration of the House. As to the argument, he could

have no doubt where it rested; but knowing how often the majority of their lordships, as to the extent and validity of the conviction that he entertained, differed from him, he begged them, as they valued the good opinion which that House wished to hold with the country, to consider how it might be affected by the rejection of the present petition. They surely ought not, in times like these, to shut their ears against the prayers of the subject, or refuse to receive information calculated to throw a new light on the report of a committee, on the truth and effect of which report they were most probably to be that night called upon to adopt measures the most important to the welfare of the nation. Under the impression that he felt on the subject, he was anxious to proceed in the best way that the forms of the House would allow. He would therefore, propose to move as an amendment, that this debate be adjourned for a short time, in order that the matter may be referred to a committee of privileges, with instructions to search for precedents, and to report whether there was any instance of a petition similar to the present being rejected on the ground of reference to proceedings of that House, of which the petitioner ought to have no knowledge. With this view, he moved that the debate be adjourned until Friday next.

The Earl of *Liverpool* said, he felt the strongest disposition to treat every petition which might be offered with the greatest indulgence. Were there any ground for doubt, he should be disposed to hesitate before he rejected the present petition; but he saw no ground for any inquiry of the kind the noble lord had proposed. Not a word had been said to show that the petition was such a one as ought now to be received, or that any similar petition had ever been admitted to their lordships' table. It advanced assertions which the individual from whom it came had no means of proving. It inferred that certain measures were to be adopted of which he could know nothing. It had been said by the noble lords on the other side, that petitions against bills were equally objectionable; but this was not the fact, as the usage of parliament had decided the question with respect to the right of petitioning against them. With respect to the Irish propositions, to which a noble earl had referred, they afforded a little authority for the opinion which had been maintained. Those propositions in-

involved measures affecting the interest of great bodies of people; and they were printed for the purpose of giving the persons interested an opportunity of considering them, and petitioning against them, if they should think fit. On comparing the statements of the present petition and the prayer, it appears, that the inducement of the individual to come forward, is a desire that he may be heard, in order to prevent the adoption of measures similar to those of 1795, and which he conceives the legislature has now in view. That this is the object of the petitioner is to be inferred from the context: he prays to be heard, because he supposes that certain measures, similar to those of a former period, may be in contemplation. Whether such measures are to be proposed or not it is impossible for him to know; and to what a state would their lordships be reduced, were they to permit individuals to come forward with petitions, not merely against measures before the House, but against measures which the petitioners apprehend may be introduced: their lordships must perceive to what an inconvenient extent such a principle as this might be carried. Every individual in the country who apprehended that any measure affecting himself, or the public in general, might at some time or another be introduced into that House, would have the right of appearing at the bar with his petition. The noble earl had not been able to refer to any instance of a similar petition being received; and he considered that a sufficient reason for rejecting it, as well as for not acceding to the proposed adjournment.

Lord *Holland* contended, that the noble earl had entirely failed in supporting the distinction that he had attempted to draw between the present case and that of the precedent of the Irish propositions. All former reports of the committee were not, according to the forms of parliament, promulgated; they were as much secret as the present report, to which the petitioner had adverted. Yet the table of that House was crowded with petitions. A noble duke had taken another and a better ground for rejection. But did the fact correspond with the objection? The present petition was, in no way, in his opinion, objectionable, as to the language in which it was couched. There were, as he understood, but two grounds on which the petitions of the subject could be refused; either when what was asked was out of the

cognizance of the House to grant, or when it was stated in disrespectful language. Neither of these objections could be urged against the petitioner, and in every view of the subject he must say, that the House would evince a great appetite for the refusal of petitions, should it reject the present, without at least investigating those precedents, on which very precedents, those who opposed its reception, ventured to ground their hostility.

Earl Fitzwilliam.—As I had the honour of being a member of that committee of secrecy, whose report has been presented to this House, I feel solicitous to give my opinion on the subject of this petition. To that report, I assented, from the nature of the evidence that was before the committee. That evidence has been contradicted by the petition, both in point of fact and time; and therefore I should be exceedingly sorry that a petition containing such allegations should not be received. At all events I feel it a duty most seriously to press upon the consideration of the House the propriety of adopting the amendment of my noble friend.

The House divided on the amendment, when the numbers were—Contents, 18; Not-contents, 64.—Majority against the Amendment 46. The motion for laying the petition on the table was then put and negatived.

List of the Minority.

DUKES.	Lauderdale
Sussex	Rosslyn.
Somerset.	VISCOUNT.
MARQUESS.	Torrington.
Wellesley.	LORDS.
EARLS.	Auckland
Darnley	Erskine
Derby	Foley
Essex	Holland
Fitzwilliam	Say and Sele
Grey	St. John.
Grosvenor	

HABEAS CORPUS SUSPENSION BILL.]

Lord Sidmouth said, that he was prepared, on coming down to the House that day, to have gone fully into the subject itself, and to have communicated the grounds on which his majesty's government felt it imperative to recommend the measure now about to be submitted to the consideration of their lordships. From the wish expressed by a number of the members of that House, he was willing to defer the discussion on the bill he then held in his hand until the second reading, which he

should fix for Monday, at the same time communicating his intention of forwarding it through its various stages on that night. He then moved, that a bill intituled "An act to empower his majesty to secure and detain such persons as his majesty shall suspect are conspiring against his person and government," be now read a first time.

Lord Holland did not rise to offer any objection to the mode of proceeding proposed by the noble lord, whose conduct in the explanations he had given had appeared to him perfectly fair and candid; but he should be sorry, if his agreeing to the arrangement which had been suggested should lead any one to suppose, that he approved of the measures his majesty's ministers had in view. He, therefore, begged it might be clearly understood, that his consent to the present proposition by no means precluded him from opposing the bill. He hoped that the noble lord would, when he moved the second reading, enter fully into the grounds on which he proposed so extraordinary and important a measure. If it should still be determined not to lay the evidence on which the committee had founded their report before the House, it might at least be expected that ministers would consent to lay before their lordships the dates of the transactions referred to in the report, and also the dates of the information relating thereto, which had at different times been received by his majesty's government. He again said, he trusted that the ministers of the Crown would be able to come down to the House on Monday to show sufficient grounds for the measures they proposed. He trusted that, to induce parliament to adopt them at once, and in one day, the dates, circumstances, and extent of the practices that called for them, would be particularly pointed out, and satisfactorily supported.

The bill was then read a first time.

HOUSE OF COMMONS.

Friday, February 21.

LONDON PETITION RESPECTING THE HOUSE AND WINDOW DUTIES.] Sir James Shawrose to present a petition from several merchants, traders, and shopkeepers, in the city of London, on a subject to which he begged leave to call the attention of the chancellor of the exchequer. It was respecting the new reading and new construction given to an act of par-

liament by the commissioners of taxes, whereby they attempted to levy a tax on warehouses and shops, which were solely occupied as such, and were not in any respect dwelling-houses: and what rendered the case more oppressive was, that many of these tenements had been occupied by the petitioners for a period considerably exceeding five years, and no such demand was ever thought of or made before. This application would last year have been made to the House for redress, had an assurance not been given to the petitioners by the treasury, that a bill would be brought into parliament to prevent such irregularity. That assurance had not, however, been fulfilled, and the petitioners had therefore felt themselves irresistibly compelled to make this application for redress to the House, particularly because when the House was prorogued last session, advantage was taken of that circumstance, and this unlawful tax demanded, which they were forced to pay, or be exposed to the consequence of its being levied by a distress. The barons of his majesty's court of exchequer in Scotland had decided that such a tax could not be levied, and they had done so unanimously. It might therefore be reasonably expected so glaring a difference should not be allowed to exist between the two kingdoms, and that a bill to that effect would be brought into the House. The case of the petitioners was certainly oppressive in the extreme as they were obliged to pay this illegal and most oppressive tax at a moment when even that small part of the foreign market which remained open to the British trader was glutted with goods, when the warehouses at home were overstocked, and when the trader had no alternative but to resort to his capital to support his family, instead of the profits of his industry. He trusted the right hon. the chancellor of the exchequer would give this his most serious attention, and really remember, that at a time so pressing in every point of view as the present, it was oppressive in the extreme to allow the trader to be unnecessarily and improperly harassed.

The Petition, which was then read, was as follows:—

“ To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled ;

“ The humble Petition of the several persons whose names are here under-written, being respectively

Merchants, Traders, and Shopkeepers, within the City of London.

“ Sheweth—That your petitioners have lately been charged with the inhabited house duty, and the duty on windows for tenements, solely used or occupied by them either as shops, counting houses, warehouses or manufactories, and which can in no respect whatever be considered as dwelling-houses.

“ That the tenements so assessed to the said duties have been in the occupation of your petitioners for various periods of time, namely from five to seventeen years, without having been before charged with the aforesaid duties, or any of them and without having been used as dwelling-houses during those periods; and that many of them would never have been taken into the occupation of your petitioners, had it not been supposed that they were clearly exempt from the duties chargeable on inhabited houses.

“ That on appeal to the commissioners for assessed taxes your petitioners have not been able to obtain either redress or any satisfactory information as to the ground on which they have been so charged; and so varied are the cases of your several petitioners, that they are convinced either that the legislature did not intend they should be so charged and assessed, or that from the general and sweeping words of the act the interpretation of the law is sufficiently clear to include and charge with the said duties every building which comes under the denomination of shop, counting-house, warehouse or manufactory, although not used or occupied in any respect as a dwelling-house. Yet your petitioners have observed, not only that the said duties have been very partially levied in England, but that the right hon. the barons of the exchequer in Scotland have unanimously decided, that no shop, counting-house, warehouse, or manufactory, similar to those of your petitioners, is chargeable with the said duties, in that part of his majesty's dominions.

“ That a petition similar to the present, would have been presented to this honourable House during the last session of parliament, had not an observation of the right hon. the chancellor of the exchequer led your petitioners to expect redress before its close.

“ That as soon, however, as the session was ended, the commissioners proceeded to enforce the assessment, and in many instances levied the rates by distress.

"That your petitioners do not yield to any of his majesty's subjects in readiness to bear whatever amount of taxation the necessities of the state may lay upon them, equally with their fellow subjects; but they do trust and hope, that they may not henceforth be compelled to pay or submit to duties and imposts which seem to be charged and inflicted upon them with evident partiality, and apparently without justice.

"Your petitioners therefore humbly pray, that this honourable House will take their case into its early and serious consideration, and will adopt such measures for the relief of your petitioners therein, as to this honourable House may seem fit.

"And your petitioners shall ever pray. &c."

The *Chancellor of the Exchequer* said, he was fully aware of the hardships of this case, as stated by the hon. baronet, and he could assure him and the House, that immediate measures would be taken to prevent its recurrence. He should certainly do every thing he possibly could to promote the benefit of all parties, and to do justice between them. He should do so without delay, and could only regret that any individual should have been put to any inconvenience.

The petition was ordered to lie on the table.

[LICENSING OF PUBLIC HOUSES.] Sir *S. Romilly* presented a petition from several householders residing in, and by White Horse lane, in the parish of Stepney, complaining of the conduct of magistrates in the licensing of public-houses. All he should ask at present would be, for the petitions to lie on the table, as he intended at a future time to move for a committee on the subject. If his hon. friend, who moved for a committee last session on the subject of the police, should offer any measure on the report of that committee, the present petition might be referred to that; if he did not come forward, he should himself propose a committee on the question. The petition in his hand was signed by 250 respectable individuals, who complained of the injustice of the magistrates in refusing to license a house in that district, which was very much wanted; the house, too, was one of a very superior description. Taking the circumstance by itself, perhaps there was little to complain of, that the magistrates, in the exercise of

the very great discretion that was reposed in them, should refuse to license a particular house: but in the very same district the same magistrates had licensed houses of the most notoriously objectionable description. There certainly had been a difference of opinion on this subject, and it had been complained, that the magistrates had had no opportunity to go into their own justification. It was, however, quite impossible for him at present, and in such a manner, to go into the case with any hope of doing justice; he was therefore desirous that the House should choose a committee for the purpose. But the light in which he regarded the subject was, not the inconvenience to an individual in not obtaining a licence he might have a right to expect, or the inconvenience of a neighbourhood in not having a public-house it might be in need of; it was, that this subject was intimately connected with the state of the police, and that the conduct of the magistrates did mainly affect the state of the criminal poor, if he might use the expression. In the district from whence the petition came, the number of public-houses was so great, that in Shadwell every twelfth house was a public-house; in Gravel-lane, every eighth house; in Nortonfalgate there was a public-house for every 73 inhabitants; and these houses were principally of the lowest and most infamous description, the common resort of thieves and prostitutes. It had been imputed to some of the witnesses before the committee, that they had acted from pique; but he would rely on the statement made by Mr. Gifford, in his account of the police of that district, that the conduct of the magistrates was so grossly unjust, they were so inattentive to the complaints that were made, and the complaints were so entirely fruitless, that he had stayed away from the meetings altogether. The evidence of Mr. Markland was to the same effect. Sir *S. Romilly* then proceeded to read part of Mr. Gifford's evidence. To the question, whether a formal complaint proved against a house before the magistrates was sufficient to cause a refusal of the licence to that house, he answered, no: he had himself reported a most disorderly house, and yet a licence had been granted, as if no such report had been made. Houses of this description were termed "flash-houses," and were the refuge of thieves and prostitutes of the lowest description.

He thought them a great cause of the depravity of morals in the metropolis. His reasons for not attending the meetings of the magistrates were, that no complaints were ever attended to. Some of the magistrates were brewers themselves, others were owners of public-houses, others had relations who were brewers or owners: one of the magistrates who granted licences in that district was the proprietor of twelve public-houses, and receiver of the rents of ten others; he was more or less interested in two-and-twenty. He would not take up the time of the house any longer, to show in what manner these licences were granted; he would only add, that one man had obtained his licence after six different convictions! He should not mention names at present, because he thought the circumstances should be more fully inquired into. He wished to ask whether the government had taken any steps in consequence of this report. In one part of the report, it appeared that one of the magistrates had complained of his inability to remedy any disorders in the neighbourhood of Charing-cross, the power of licensing houses in that vicinity being in the board of green cloth; that representations and complaints had been made by the magistrates themselves; but that the board of green cloth had continued to license the houses in spite of all remonstrances. There was much disorder in the neighbourhood of Charing-cross, which could not be put down by the magistrates, owing to the jurisdiction of the board of green cloth. He wished to ask his majesty's ministers whether they had any measures, in contemplation in consequence of this report? He could not omit this opportunity of calling the attention of the House to the enormous increase of crimes committed by children; and he wished also to say something on the rewards that were given to persons who apprehended offenders. In the police report, it appeared, the magistrates had all been examined touching the propriety of these rewards offered by statute on the conviction of criminals, and there was not one of them who did not declare, that no officer of justice was ever influenced by those rewards in the testimony he might have to give; they only thought they might be improper, because they raised up a sort of discredit against the witness. Nay, so delighted was the recorder with this system of pecuniary rewards for the

detection of crime, that he wished them by all means to be extended. Now, after all, the report was scarcely printed before a combination came out, the most extensive and atrocious that had ever been devised, for entrapping innocent men out of their lives for the sake of the reward. It appeared that 16*l.* was the whole amount of the reward for which three lives were to be sacrificed! He only mentioned this to show how far things had gone before the mischief was even known or suspected. He thought it desirable that the committee should be renewed as soon as possible, and he was anxious to know if any measures were in contemplation.

The petition was then read, as well as another from the village of new Haggerston, in the parish of Shoreditch, complaining of similar grievances. In the last instance a public-house had been refused to a new village of 130 houses, while there was no public-house within half a mile.

Mr. Bathurst said, that if this complaint were on an individual case or two, it would not require the interference of parliament; because it was a mistake to suppose that the law did not afford a remedy—the court of King's-bench had a jurisdiction in cases of this sort. The question, however, rested on the report of the committee of last session, which certainly contained charges of a serious nature against the magistrates, and on that ground an investigation had partially taken place; but all the parties had not been fully heard, and therefore he thought the course proposed by the hon. and learned gentleman was the proper one to pursue. The different cases had been submitted to the lord chancellor, who did not think himself justified in applying that discretionary power which was vested in him, but had directed that the opinions of the attorney and solicitor general should be taken with regard to the propriety of instituting a prosecution. These law officers had not discovered sufficient grounds for recommending such a measure; but he could assure the House, that his noble friend and relation lord Sidmouth, had done every thing in his power to attain the ends of justice. He knew that he was animated by an earnest desire to effect some improvement, and that he felt it to be not so much a question of property to individuals, as one affecting the discharge of a very important trust on the part of magistrates, and a trust which appeared, in some instances,

to have been abused. He believed it likewise to be the opinion of his noble friend, that at all events some new legislative provision was necessary.

Mr. Bennet expressed his satisfaction at the communication just made by the right hon. gentleman, and stated it to be his intention, on an early day, to bring the question of the revival of the committee under the consideration of the House. When the magistrates said they were unheard, he must say, unfortunately for some of them, they had been heard. The conduct of one of them had been proved to be so improper, by himself, on his being heard, that he (Mr. Bennett) felt inclined to blame that charity which had at the time restrained him from bringing the individual in question before the House. He spoke of Mr. Mercer, whose evidence had been such as ought to have drawn down upon him the punishment of that House. After the disclosures made in the last year, it might have been expected that enough had been done to caution the magistrates. It might have been hoped they would have offered some atonement for the past, by acting a more upright part. This, however, they had not done; and the proof of it was, that all the houses complained of had again been re-licensed. For acting thus, he now, in his place, charged the county magistrates with the most corrupt exercise of the power entrusted to them. Another instance of their corruption was to be found in their having re-licensed a house called the Duke of York, in defiance of the most respectable inhabitants of the neighbourhood, and of the churchwardens and police magistrates. A petition against it had been presented by Mr. Markland, but in spite of all the representations that could be made, Mr. Mercer and the other trading magistrates of the county, who were worse than the trading magistrates of other times, had thought themselves justified in renewing the licence, a sort of lecture being read by sir David Williams on the occasion to the landlord, setting forth the rules by which his conduct ought to be regulated for the future in the management of a public-house. But what was the result? Was the house more respectable than formerly? No. He knew that within the last two days it had been as bad as ever. It was the resort of thieves and prostitutes; and boys were daily assembled there to be instructed in all the varieties of debauchery and crime.

If such things were suffered, it must be from the most corrupt motives. He must say, that it was his opinion the lord chancellor had not done his duty in suffering that guilty, that shuffling magistrate, Mr. Mercer, to retain his situation.

The *Attorney General* wished to put it to the candour of the House, and particularly to the candour of his hon. and learned friend, whether it could be considered to have been the duty of the lord chancellor to advise the striking out of an individual's name from the commission of the peace, whilst the conduct of that individual was a subject of inquiry before a committee of that House. He would ask, whether it would be becoming in the chancellor to act against any magistrate before his conviction, as if he were already convicted of some offence? The lord chancellor had not, however, acted as if the party had not been at all inculpated; for he had directed the opinions of himself and the solicitor-general to be taken, with regard to the propriety of filing a criminal information against him. But although it was competent to any person complaining of injustice or misconduct in magistrates, either for granting or refusing licences, to apply to the court of King's-bench for a criminal information, the law-officers of the crown had no means of putting themselves in motion until they were perfectly satisfied of the weight and incontrovertibility of the evidence upon which they were to proceed. It was their business, when they filed informations, not to do it by an application upon an *ex parte* statement, but to do it of their own authority. Such a proceeding, in the present case, would have been to arrest the inquiries of a parliamentary committee, and to anticipate an order to prosecute, which it was possible the House might subsequently vote. With respect to another subject referred to by his hon. and learned friend, that of statutable rewards, he begged leave to assure him, that it had been long under the consideration of government, and that the noble secretary for the home department had at present some measure in contemplation to submit to parliament.

Sir S. Romilly said, the hon. and learned gentleman was mistaken, if he imagined that it had been intended to impute any blame to the law-officers of the crown.

Mr. Brougham desired to know whether the House was to understand, that the rule which the lord chancellor prescribed to himself was, never to recommend the omis-

sion or striking out of a name in a commission of the peace, unless the party had been guilty of some offence.

The *Attorney General* thought the hon. and learned gentleman extremely well qualified to answer his own question. He could not describe the rule upon which the lord chancellor acted on all occasions, although he was sure that it was from the most conscientious motives; but he had not uttered, and never could have uttered, any thing to justify the interpretation of the hon. and learned gentlemen, without exposing his own ignorance and presumption.

Mr. *Brougham* said, if he had been mistaken, it was a mistake common to many on his side of the House, who certainly understood the hon. and learned gentleman to have stated that the lord chancellor had not struck out the name of Mr. *Merceron* from the list of magistrates because he had not hitherto been legally convicted of any offence. He regretted that the learned lord had omitted to strike out the name of that individual, especially as that individual stood openly convicted to the understanding of the world, upon his own evidence; and he regretted also that the chairman of the committee had not deemed it necessary to report that person to the House. He perfectly agreed with the observations on the purity of the lord chancellor's motives; but was sorry that, under the circumstances of this case, he had not thought the same sort of interposition necessary which he had on one occasion exercised in the county of *Durham*, in which he had of his own authority put an individual on his defence.

Mr. *Lockhart* observed, that he had ever since the publication of the report, thought it incumbent on his majesty's ministers to adopt some immediate measure for remedying the evils which were there developed. He could not help saying, that ministers generally evinced a much greater anxiety for the collection of the revenue than for any improvement in the morals of the country. Although the House heard frequent congratulations from the throne on the prosperous state of the finances, they never heard any allusion to the growing virtue of the community. He believed, however, that with reference to the interests of the revenue itself, nothing could be more advantageous than a healthy state of morals among the people.

Mr. *Bennet* presented a petition from 259 inhabitants of *Brentford*, in favour of a

publican of the name of *Joseph Harding*, who had kept the sign of the Castle, in that town, but whose licence was taken from him by the magistrates, in consequence, as the petitioners asserted, of some undue bias against him, although, instead of being a disorderly house, the Castle had always been one of the most regular, and well conducted houses in *Brentford*.

Mr. *Bathurst* suggested that the case in question was more fit for the consideration of the court of King's-bench, than of that House.

Colonel *Wood* was confident that no undue bias existed in the minds of the magistrates of the division in which the town of *Brentford* was situated: than whom a more honourable set of men were not in existence.

Mr. *H. Sumner* deprecated loose charges against the magistracy of the country, made in that House by petition or otherwise; such charges brought in the court of King's-bench would not be half so prejudicial, as when they were brought forward in that House, where the gentlemen accused could not defend themselves, and by which step the imputations against them, however unfounded they might eventually turn out to be, were circulated more widely than they could be by any other process. For himself, if he were described in any petition in the way in which some of the magistrates were described in the petition which had just been read, he would immediately request to have his name struck out of the commission for the peace, well knowing that, however unjust the charge, the extensive circulation of it must materially diminish his usefulness and respectability as a magistrate.

Mr. *Butterworth*, adverting to what had been said about Mr. *Merceron*, remarked, that it was but justice to that individual to observe, that he had recently obtained a verdict in the court of King's-bench against some individuals by whom he had been libelled.

Mr. *Bennet* said, that he had no charge to make against Mr. *Merceron*, but that which Mr. *Merceron* had furnished himself in his own evidence.

Mr. *Butterworth* acknowledged that the country at large was extremely indebted to the hon. gentleman for his humane and zealous exertions. What he had observed about Mr. *Merceron* was merely what he conceived to be an act of justice to that individual.

Mr. Bennet described Mr. Mercer's conduct before the committee as evincing cool, deliberate, and habitual falsehood. Whenever he was asked a question, his invention seemed immediately to be set to work to get rid of it by artifice. So short was his memory, that he never recollected what he had said ten minutes before and therefore contradicted himself continually.

Mr. Brougham confirmed this statement, and again expressed his regret that the humanity of his hon. friend had prevented him from reporting Mr. Mercer's conduct to the House. As to the petition which had just been read, it was impossible to reject it, consistently with the rules and practice of that House. He allowed that the line ought to be carefully drawn between those complaints that ought to be made to parliament, and those that ought to be made in courts of justice. But there was nothing in the petition under consideration—no imputation of malversation in office, which could warrant an application to the court of King's-bench.

The *Attorney General* asked, if there was no imputation, for what then did the petitioners pray?

Mr. Brougham said, that the prayer of the petition was for relief generally. As such a doctrine as that now advocated by the hon. and learned gentleman would end in the rejection of all petitions, he requested the Speaker would have the goodness to state whether a petition, praying for relief generally, could, according to the rules and practice of that House, be rejected.

The *Speaker*.—Not on any such ground certainly. It will be for the House to judge for itself whether any petition presented to it does or does not pray for relief generally.

The petitions were ordered to lie on the table.

PERSONS UNDER SENTENCE OF DEATH IN NEWGATE.] Mr. Bennet called the attention of the House to the number of prisoners now under sentence of death in Newgate, and whose cases had not yet been reported to the Prince Regent. This number was set forth in a return presented to the House on Wednesday last. There were five who received sentence of death in July last, and four in September, whose cases had been reserved for the opinion of the judges. He could wish to know whether, in these instances, the delay was

imputable to them. There were 29 persons in the same awful situation, on whom judgment had been passed in October last; 29 also in December: 21 in January; and 12 more had been since added to the number. At four o'clock yesterday, when he visited that prison, the whole number of individuals in that dreadful situation was not less than one hundred. He wished the House could have been a witness to the scene which was there exhibited, to the deep despair of some, the impiety of others, and to the senseless and half-intoxicated state in which a third class appeared to be absorbed. He was informed, by persons familiar with such scenes, that this was generally the character of them; and such, he was sorry to say it, was the shameless manner of administering the laws, that these unhappy offenders rejoiced when the certainty of execution was made known to them, because it was a relief from that state of cruel and horrid suspense in which they were before situated. He trusted the noble lord had a satisfactory explanation to give upon this subject, for he could assure him from a very extensive correspondence, that the country expected it, and considered the evil he had alluded to as the greatest blot on the administration of justice.

Lord Castlereagh understood that the delay in the earlier cases had arisen from a necessary investigation into their circumstances. With regard to the latter cases, a council would have been already called, on the subject, had not a very important inquiry intervened and caused an unavoidable postponement of that consideration. The council would, however, be held to-morrow, and he entirely concurred with the hon. gentleman in thinking that no subject demanded greater promptitude of attention.

The *Attorney General* observed, that of the convicts mentioned by the hon. gentleman as being under sentence of death, some were those whose cases had been reserved for the consideration of the judges; whose judgment was not promulgated.

Mr. Bennet reprobated the delay that had taken place in the report of those under sentence of death in October. Why had it not been presented long ago?

The *Attorney General* observed, that during the first part of the intervening period the recorder had probably not been prepared for his report, and that of the delay in the last part his noble friend had stated the cause.

Mr. *Bennet* replied, that he knew from good authority, that the recorder had been long prepared with his October report. If so, he contended that the secretary of state for the home department, the lord chancellor, or whosoever ought to have had to do with the business, had been guilty of a criminal neglect of duty.

The *Attorney General* remarked, that whatever information the hon. gentleman might have received, it could hardly be on better authority than that on which he asserted, that, some days ago, the recorder was not ready to ask for a day to be appointed for the reception of his report.

Alderman *C. Smith* stated, that the delay in making the report arose from the length of the sessions and from motives of humanity. It was spent, in fact, in making inquiries into the various cases. The prisoners in Newgate, where he had been that day, did not complain of the law's delay. At three o'clock that very afternoon, the recorder had told him that he would make his report to-morrow, and was happy to say that he should have but few to execute.

The motion was then agreed to.

PETITIONS RELATING TO REFORM, &c.] Sir *Robert Heron* presented a petition from the town of Gainsborough and its vicinity, praying for triennial parliaments, representation co-extensive with direct taxation, and election by ballot. The petition had been agreed to at a numerous meeting, regularly convened, and the proceedings of which were conducted with perfect order. He did not concur with the last part of the prayer—that which referred to election by ballot; but he would support such a plan of reform as should, by extending the elective franchise, make that House more substantially the representative of the people. He wished for the restoration of triennial parliaments, an institution established at the best period of our history, and repealed by a measure of very equivocal policy. He would give his support also to every proposition for the retrenchment of the public expenditure, and the abolition of sinecures and useless places. With regard to plans of more extensive alteration or reform, he should reserve the statement of his opinions for another occasion; but as it was manifestly the wish of the great body of the people that some reform in the representation should take place, he trusted that the House would

not so insult their constituents as to refuse, whenever the discussion should be entered upon, to refer the petition to a committee. If it should be said that the reformers were not agreed among themselves as to what they recommended, he should reply, that they were that very day about to proceed to a discussion, in which, perhaps, there were very few gentlemen in the House who would concur at once in any specific object. He trusted, therefore, that the differences of opinion on the question of reform, would not be made the ground for resisting the proposition to refer the petitions to a committee.

A petition in favour of reform was presented from the borough of Boston. It stated, that it appeared, from the annals of the country, that for more than a thousand years before the Revolution, annual parliaments were the constitution of England—[a laugh].

The petitions were ordered to lie on the table.

MR. CURWEN'S MOTION FOR A COMMITTEE ON THE POOR LAWS.] Mr. *Curwen* rose and said:—Mr. Speaker; in compliance with my notice, it now becomes my duty to bring under the consideration of the House a question of the most vital importance to the general interests of the country. Deeply affecting the prosperity and happiness of all ranks, so vast the objects connected with the subject, so interwoven with the distresses of the country, that in tracing this operation, my mind has been so appalled, that I have frequently felt ready to abandon the undertaking in despair. Nothing but a sense of duty, and a firm conviction that the country would consider such conduct as a dereliction of public duty, have given me courage to proceed. The House will do me the justice to recollect that I undertook the task in a former session,* in consideration of a promise exacted from me by my constituents. I then felt, as all have felt who have attempted an amendment of the system of the poor laws, the difficulties which attended it. The task was then comparatively easy. The distresses of the country were infinitely less—in proportion as the necessity of supplying a remedy has increased, so have the difficulties of effecting it. Under this conviction I applied to his

* See Vol. 34, p. 878.

majesty's ministers to take the matter into their own hands: I professed also my readiness to resign the task to any gentleman more equal to do it justice. Failing in these applications I had only the choice of difficulties. I have preferred the sacrifice of every personal consideration to an imputation of indifference to the sufferings under which the country labours.

Measures, Sir, which are designed to effect great and important changes belong exclusively to the executive government. With them rests the responsibility: they possess superior sources of information: they alone have the influence to carry into effect such changes. They have the co-operation and aid of the first information and abilities on all subjects at command, and under their united auspices measures can be so digested and arranged as not to be subject to material changes from the shape in which they are first introduced to the notice of this House and of the public. Widely different is the case with any individual, and especially the one who addresses you. I have now to submit to the House a plan on a subject on which persons most distinguished for abilities who have made a similar attempt have failed—without any co-operation or assistance from almost an individual in or out of this House, compelled to hazard speculations at a time when the minds of all classes in society are agitated by their sufferings without knowing how they can be relieved. Permit me to observe that I differ most widely from those who seem to consider that the mere agitation of the question will satisfy the public. I believe directly the contrary effect will be produced, and that infinite mischief may be done, if we go into a committee, and that out of it should proceed no measure of relief. Great evils must arise out of the propositions that I have to submit to the House, should they be totally rejected. Pressing as this danger is, still greater danger impels me to act. Some measures to meet the magnitude of the evils of the moment are indispensably requisite. By these observations, I do not, however, Sir, mean to insinuate any thing invidious to ministers, or to anticipate that they can have any interest in my failure. Though perfectly unacquainted with their views, I am satisfied and give them full credit for being aware of the dreadful state of the country. One cause, and a very prin-

cipal one, arises out of the unjust pressure of the poor laws. Without any claims for support on that side of the House or this, I have and shall continue to proceed in this business (with no view but that which is felt by every gentleman in common with myself,) and endeavour to benefit the country and reanimate its exertions.

Sensible of the indulgence of the House in a former sessions, I shall not now, Sir, abuse it, or occupy a longer portion of their time than is indispensably necessary to explain what I have to submit to their consideration. I do not propose to enter into the particular hardships which arise out of the defects of the existing laws relative to the poor. By the numerous valuable communications with which I have been favoured from various quarters of the country, I am fully satisfied that were all the just complaints which they contain redressed, there is not a statute relating to the subject that would not require to be revised and amended. My endeavour on the present occasion will be to consider the general effect of the principle of the 43d of Eliz. as now construed; to show the injustice and oppression of the laws as at present executed for raising the sums necessary for the support of the poor; to call on the House to amend, not to create new laws, so as to divide the burthen more fairly and equally; to point out the indispensable necessity for providing for a crisis which cannot be distant, I mean the failure of voluntary contributions. I shall submit with great deference a plan for substituting other resources for the maintenance and bettering the situation of the poor by destroying the baneful, pestilential effects of the poor laws. Were every regulation respecting the poor as perfect as human wisdom could devise, were there no ground for a single complaint on his head, still, Sir, we should not have advanced a single step towards the correction of the evil under which the country now labours, an evil coeval with the existence of the system itself. Still I do not attribute the mischiefs which have arisen out of the 43rd Eliz. to its inventors; quite the contrary—the wisdom and humanity of the plan does infinite honour to the head and heart of those with whom it originated. The support and maintenance of the old, lame, blind, and impotent, was conformable to a duty of higher influence than human institutions. The construing and acting

upon this law, by those who had to administer relief under it, has introduced what is evidently foreign to its intention. It was never designed to give a right of support and maintenance to those who, by the practice of frugality, sobriety and industry, might have supported themselves, but who have become chargeable by their crimes and misconduct. It never had in contemplation that men should anticipate parochial support as a source of maintenance for themselves and families,—nor did it intend to take away from the labouring classes all interests and concern in their own well-being. It did not contemplate the total destruction of independence, or that so large a proportion of the community should view the present moment as the sole object worthy of their attention. These, Sir, are the evils which have arisen out of the administration of that act. For two hundred and fifty years the attention of legislators has at different times been directed to the consideration of expedients to stop the growing evil: whilst the country remained wholly agricultural; the progress of this malady was slow. Since we have become a manufacturing people, its increase has been out of all measure and calculation, rapid. In 1776, the amount of the poor-rates was 1,530,800*l*. In forty three years, they are augmented, I verily believe, to eight million and a half. Admitting the system to continue, can it be doubted that it will stop short of swallowing up the whole revenue and industry of the country, extinguishing at the same time every vestige of respectability and happiness among the poor? Each successive augmentation of the burthen has been attended with a proportionable increase of misery. Pauperism contaminates all who come within its vortex—foreigners contemplate with astonishment the sums provided in Great Britain for the poor, which, with the addition of endowments to charities, exceed nine millions annually, a revenue possessed by a few sovereigns in Europe. Dazzling as this appears at a distance, what are its effects when viewed more closely? Does it produce happiness, content, and gratitude among the poor? No, Sir! discontent, gloom, and misery pervade all who partake of it. Not a particle of gratitude, not more of contentment is to be found.

We hear perpetually of the wretched state in which the Irish peasant is doomed to exist: when examined, on the first

glance, it does indeed shock an English eye. Accustomed as we are to see a more liberal distribution of the comforts of life among the lower orders, we commiserate the situation of those whom we see deprived of what habit leads us to view as the first necessities of life. Their clothing scanty and worn out; their cabins mean, and in disrepair: the earthen floor, a few boards and a wretched straw pallet, their bed; a stool or two, and an iron pot forming their whole ménage: their sole food potatoes: salt and buttermilk, their luxuries. Such are the outward objects in view. But those who have the courage to examine more minutely into the condition of this hardy race, and to judge by their own feelings, and not by ours, may draw conclusions very opposite to those which first strike the eye. The inhabitant of this wretched abode will be observed cheerful: kind hearted, affectionate, charitable in the highest degree; with the strongest sense of his duties as a son, a husband, and a parent, and happy in their execution. In the midst of his privations, his independent, unsubdued spirit supports him. It is the mind which imprints the stamp of happiness or misery. The Irish peasant amidst all his wants and sufferings, appears far superior to the unhappy victim of pauperism in this country. I was so struck, Sir, with a result so contrary to my preconceived opinions and first impressions, that I visited in a circuit of above a thousand miles in Ireland, hundreds of cabins, to assure myself of this fact, and excepting in great towns, the result was almost universal. That great moralist and philosopher, Dr. Paley, has observed on this subject, that “happiness consists in the exercise of the social affections; that those persons commonly possess good spirits who have about them many objects of affection and endearment, as wife, children, kindred, friends.” Now the condition of the Irish peasant is such as to call forth and exercise these social affections, in a higher degree, and more frequently, than is the case with the English peasant. The effect of the poor-laws is here to destroy all the best and most kindly feelings of the heart. It jaundices the eye and prevents it from deriving comfort from what it possesses; every benefit granted to one, is considered by others as an injury done them: thus envy and jealousy are perpetually engendered. The contrast is observable between this class, and

the industrious, frugal, and sober peasant, who tempers the interest of the present with that of the future, providing for the necessities of both. Between the comforts of his existence and that of the pauper the distance is so great, the advantages so preponderant, that I have no words to express it. The difference is as striking as between a day of sunshine and a day of gloom. The legislature is called on to stay this evil from motives higher and more dignified than any which self-interest can dictate. Every feeling of humanity and love of man for man, implanted in the hearts of all, bids us restore happiness and respectability to two millions and a half of fellow-Englishmen.

So great, Sir, has become the amount of the relief levied for the poor, that it cannot be removed without substituting something in its place. To correct the mischief will require a length of time. If a principle can be adopted by which the labouring classes can be elevated in the scale of society, and tempted to contribute towards their own necessities by the hopes of greater and more substantial comforts, it will, in time, make its way. Such a plan, I do conceive, may be adopted, as I shall hereafter attempt to show. It is some satisfaction to me that my views, last sessions, on this subject have, as far as the communications received enabled me to judge, been very generally approved, though some doubts have been expressed on the expediency of adopting them at present. The impossibility of suggesting any plan that would be universally applicable to all situations, gives additional weight to my project. I propose, Sir, to leave it to every parish to frame and adopt the regulations best suited to its situation. Great are the difficulties generally accompanying any alterations in legislative measures of this importance. Here, if any should arise, a remedy would be immediately at hand to remove any incongruity which might appear in adapting it to the local situation. You would have the abilities and co-operation of the whole country at work to bring the scheme to perfection.

Whatever, Sir, might be my former opinions, I have so far changed them as not to propose to the House to adopt the measure I last year detailed to them as compulsory, but rather to submit it as a measure and experiment to be adopted when the majority of the parishioners of any parish were disposed to try it. I am

sanguine in my belief it would answer, and impose a very light burthen on the whole community. With great increased comforts, to be exempt from the horrible, and yet I admit necessary, coercion of a poor-house, would lead every reflecting person to contribute cheerfully to the fund for general support. The administration and management of the poor being in part in the hands of the poor would secure tenderness in the administration of relief, whilst it would give consequence to them as a body. In parishes that should adopt the plan, I propose that the construction of the 43d of Eliz. should be strictly adhered to, and that parish funds should be provided for the relief of those who come within its operation. To all above a certain age, relief should be afforded under the present laws. It has been objected to my plan that it would have the effect of raising wages. Should that be the case, I do not think it would ultimately be injurious to the general interests of the country. What are the poor-rates in many places, but a mode of payment of wages, and that the very worst sort, as it breaks the spirit, and destroys the independence of the labourer? In order to effect a cure, a complete alteration is necessary in the whole system of our poor laws.

Great and imperious as is the call on us, Sir, to apply some remedy to the existing evils, we have at present a still more pressing demand on us; that is, to devise means for making the existing laws for the support of the poor, adequate to the purpose.

Here it is, Sir, I feel peculiarly, that I am occupying ground which ought to have been exclusively in the hands of others. Yet I must have been both blind and insensible to every feeling of humanity, to every duty imposed on those who have intrusted to them the interests of the public, had I passed over this part of the subject in silence. Awful is the crisis—every hour adds to and increases it. Imminent is the danger in numerous districts, both in the manufacturing and the agricultural. The whole amount of income arising from real property will be inadequate to the support of the poor—so dreadfully are they increased. I shall not dwell longer than can be avoided on this painful subject; but to justify my appeal to the House, and the measures I shall have the honour to propose, I must lay some foundation. There are indeed already petitions on your table that bear

out this statement. Of the communications received, I shall instance one or two. Those from Sheffield are particularly worthy of attention. The paper I hold in my hand was published by the overseers of the poor, addressed to the magistrates of the West-riding, and was communicated, as I am given to understand, to his majesty's ministers. It states that, on the 29th of November last, there were 840 families relieved: that on the 10th of January they had increased to 1,504. That the weekly payment had arisen from 200*l*.

500*l*.; that Mr. Girdler, a farmer of 210 acres, paid a guinea a day towards the relief of the poor, but must now be called on to double the sum. That if this state of things continued two months longer, the town would be utterly unable to raise the sum requisite for the support of the poor. That other townships in Sheffield parish were in no better situation. It states also the noble struggles made by many of the artisans to avoid being chargeable: many had sold furniture and other articles to the amount of 30*l*., and had exhausted every resource, before asking for relief. Here I must call on the House to consider one class of persons at present contributing much to the augmentation of the burthens; I mean persons who themselves heretofore paid their share of the rates, instead of receiving any part of them. The artizan and the small shop-keeper, many of this most respectable and industrious class of society, have been forced into the dreadful gulph of pauperism. The decreased value of land has fallen, Sir, with peculiar hardship on this class of society. The rent of their dwellings has not fallen in proportion. The advance of the rates is probably five per cent. from this cause alone; but more still on them, as their rents remain undiminished. How much farther the mischief will go, unless your wisdom and humanity interfere to stop it, I pretend not to conjecture. Sir, I have communications from Shropshire saying that the poor-rates are 19*s*. and 20*s*. in the pound. From the neighbourhood of Aylesbury, also I have similar accounts. From Sussex, I have statements of 25*s*. in the pound. I will not trouble the House with more, but proceed to lay before them what I conceive to be the present state of poor-rates on the average of England. In 1803, Mr. Rose calculated the revenue of the country at 34 millions, adding four millions to the amount for canals, mines, and personal

property of different descriptions assessed, making a total of 38 millions. The number of paupers was then 1,234,768; their maintenance 4,267,965*l*., equal to 12½ per cent. on the capital taxed. In 1815 the revenue of land and houses had advanced to above 52 millions: adding four millions according to Mr. Rose's computation, the amount is 56 millions; that of poor-rates being 6,400,000, and of paupers 2,000,000, made it 16 per cent. Admitting the revenue to have fallen in 1817 to 35,000,000, it would add one-third to the amount of the poor-rate, and make it 20 per cent. Now, Sir, taking the increase of paupers in 1817 to be 500,000, and the advance of rate at 2,000,000, the increased expense of necessaries of life augmenting the cost will make the poor-rates not less, probably, than eight millions and half, or 26 per cent. on the actual amount of real property.

The amount of dividends and interest payable to the public creditor may be calculated at	32,000,000
In six millions of India stock..	300,000
Four millions South Sea stock	200,000
Income of the bank on twelve millions worth 24,000,000...	1,200,000
	33,700,000

Ten per cent. on the produce would produce 3,370,000

a sum amply sufficient to equalize the rates of the whole kingdom, and to supersede the necessity either of a general, or more extended assessment.

The next source of income, and which spreads itself over the whole kingdom, would be the interest arising from personal property.

Supposing two hundred millions, producing at 5 per cent.	10,000,000
20,000,000 <i>l</i> . the produce of trade	2,000,000
1,761,453 tons of shipping, producing now half what it did, at	1,000,000
	13,000,000

Ten per cent. on this...	1,300,000
Do. on stock, as above	3,370,000
Making a total of personal property	4,670,000
With 12½ per cent. from land	4,375,000

Making 9,045,000
(2 L)

The great and immediate relief such a measure would afford, would tend most materially to relieve the agricultural and commercial interests.

I should not propose this plan for more than three years, by which time it may be confidently hoped that the agriculture and commerce of the country may be greatly revived. The pressure of the poor laws at this time, is in an inverse ratio to the power of sustaining its burthen. Every hand that is discharged, the profit of his productive labour is lost to the state, whilst he claims support from a diminished source. Thus is the evil daily spreading, whilst the power of supporting is decreased. Nothing can so effectually reanimate the active exertions of the country, as relieving it from its burthens. I am decidedly averse to every plan that would enhance the price of the necessities of life, in order to keep up the price of land: this system has occasioned much mischief to the trade and commerce of the country: our commercial system has given umbrage to every nation in Europe. We must unshackle trade, and by conferring reciprocal benefits, advantage both ourselves and other nations. It is the enormous taxation which has forced this system on the country. The return of peace has reanimated the industry of other countries, and we must either be enabled to serve them cheaper, or they will cease to be our customers. Whilst we offer them the produce of our staple manufactures, we must receive theirs in return.

In looking to the resources by which the radical evils of the system of the poor laws can be corrected, we must have recourse to the people whose income exceeds in amount that of all other classes together. I have made the calculation on five millions of persons earning at the rate of 12s. a week. Mr. Colquhoun, in his recent publication, calculates that in the united empire, there are ten millions of persons employed in different manual occupations and earning wages amounting in the year to three hundred and thirty-one millions. If we take England and Wales, as two-thirds, compared with Scotland and Ireland, the earnings of labour would amount to two hundred and twenty millions. Could the whole people be led to feel their interest and happiness combined in making a small weekly sacrifice of two and a half per cent. on the produce of their labour, its yearly amount would be three millions and a half. But, Sir, the

effect would be much greater, from the economy, frugality, and industry, that would spring from it. Such a change would quickly lessen the demands on the funds: there would be few, except from accident or misfortune, who would become burthensome. The seamen actually do at this moment contribute liberally out of their wages to Greenwich-hospital. The measure is not therefore new, even in practice. Is this complained of? No.—I believe it is cheerfully paid, although its amount must exceed two and a half per cent. on their wages.

A deduction to this amount from the earnings of labour, would produce, then, three millions and a half. Besides the direct benefit which would result from the addition of a sum so considerable to the funds now dedicated to the support of the poor, its tendency would be to induce the labouring classes to extend their views beyond the present moment. The enjoyments of the present moment are alone the object of attention to the poor: to them the present is every thing; the future nothing. To this may be attributed those premature marriages, from which spring such misery. To check these, you must bring mankind back to reflect and to balance individual enjoyment with the misery by which it is to be purchased. It is a subject beyond the reach of legislation: the only restraint which can prevent it, must arise out of the mind, by the combination of the present with the future.

I am not unaware, Sir, that my plan may by possibility create some jealousy in the breasts of those who patronize the system of Saving Banks, and that they may be thought in some degree to clash with each other. This can only arise from a misconception of the subject. That the establishment of saving banks is likely to be productive of much good, will not be questioned; as little, that the country owes essential obligation to the right hon. gentleman now in my eye, under whose auspices, and by whose powerful recommendation, they have become so widely extended; but when held up as a remedy likely to stay the baneful effects of pauperism, I must confess that this appears to me to go beyond all fair and rational expectations. That the friendly societies have generally failed, is much to be regretted. And what has been the cause? The insufficiency, I fear, of their funds, to meet the exigencies of the parties,

leaving the members still dependent on parochial relief. That the savings which could reasonably be expected from individuals in humble life, could ever be made adequate to the wants of themselves and families, in all cases, can by no means be expected.

The establishment I propose, at once extinguishes reliance on the poor laws; it combines, with the earnings of the parties, the contributions of other classes: it opens to the poor, greater comforts than they could otherwise obtain—the security of their own mansion; education of their children; rewards for meritorious conduct.—It embraces a still further and more important object,—the participation in the government and distribution of these funds. They who have ever been taught to look only to those above them for support, would henceforth look to their equals; it would bestow on the labouring classes a new character: they would acquire rights, the exercise of which would bring them into contact with their superiors; the value and blessing of education would be developed; the intelligence, the talents of the people—that good sense of which so large a portion is to be found amongst them, would have full scope given them. The road to respectability and consideration being thus opened, what might not reasonably be expected to result from it? Would it not kindle in the breast of all that class of society, a spirit of emulation? Whilst they looked up with admiration and pride to the consequence attained by one of their own class, they would be led to aspire to the same honourable distinction: it is the operation of this principle that must furnish the antidote to the present evils.

To show the facility with which the fund could be raised by interesting the people in their own cause, I shall instance what is daily under my own eye. The township of Workington contains 8,500 souls; the sum raised for the maintenance of the poor is 2,000*l.*; four hundred pounds of which is applied to other purposes, the actual charge for their support is then 1,600*l.*; the real property of the township is about ten thousand per annum. Now, Sir, these rates are levied with the greatest difficulty, particularly from the inferior classes of artizans, and little shop-keepers; the distress which they sometimes occasion to useful members of the community, cannot but excite the most painful feelings in the minds of those who are compelled to

enforce their payment. In the same place four hundred individuals now raise without a complaint or remonstrance, nearly 700*l.*, which, with the contribution of one third, from the proprietor, making together about 1,000*l.*, equals one half of what the whole township raises with such difficulty. Now, Sir, assuming that in the same place there are 2,500 persons earning in various ways their subsistence by labour, whose earnings average 12*s.* per week, or 70,000*l.* $2\frac{1}{2}$ per cent. on that sum would produce 1,500
10 per cent. on land and houses,... 1,000

2,500

From this it is evident that $1\frac{1}{2}$ per cent. on labour producing..... 750
And $7\frac{1}{2}$ per cent. on land..... 750

1,500

would raise 1,500*l.* more than equal to what the poor costs at this time, not including the charges arising from bastards. Three half-pence, or even three pence out of every ten shillings earned, would not be a burthen that the labourer ought to feel if he was adequately paid. Its amount would not exceed the defalcation from wages which arises from the practice too frequent in manufacturing towns, and indeed elsewhere, of paying the weekly wages in a public house, to the journeyman and labourer. I must observe also that when this plan was adopted, the 43d of Elizabeth, strictly construed, must exist, for the maintenance of those whose misfortunes disabled from administering to their own support. Where men contributed towards their own maintenance, the laws of settlement might be rendered at once more simple; there would be less apprehension of men's becoming burthensome by acquiring settlements; all the endless litigation that now costs so large a portion of the rates, would be avoided.

From the demand for labour arising occasionally in consequence of our becoming a great manufacturing country, individuals of the sister kingdoms are taught to flock to those places where hands are wanted. Is it reasonable, after a life spent in promoting the wealth and prosperity of the place of their residence, that in their old age, they should be sent back to the spot which gave them birth, where no trace of them is left, without friend, relation, or any soul to console the concluding days of a miserable existence. The change of the times requires that our fellow subjects of Ireland

and Scotland should be able to gain a settlement and close their lives in the place where their years of active industry had been spent. A further strong motive arises, I apprehend, for adopting a measure like that which I recommend, which will put it in their power by contributing a part of their earnings to lay up a fund by means of their own honest industry for the hour of sickness or misfortune.

For twenty years back the pride and ambition of my life has been to be instrumental in promoting the measure of the nature with that which has now so unexpectedly fallen to my lot to propose. Viewing it merely as a measure of experiment, I do not despair, if it be adopted, of seeing it speedily and extensively put in practice.

In order fairly to understand the situation of the real property of the kingdom, we must take from the thirty-five millions at which I compute its revenue, one million for county rates, and other public charges; for repairs, and various losses by failure of tenants, &c. ten per cent. on three millions and a half, leaving nett to the proprietors thirty millions and a half. Now, Sir, this is the actual state of receipt. How does it stand, compared with the revenue of the public creditor? Is the funded or unfunded debt less than thirty-two millions? Should it be even one million and a half less, still it will equal the whole revenue of the kingdom. Is it consistent with justice that such an amount of property should escape from any participation in the support of the poor? admitting for a moment that parliament had pledged its faith to the public creditor that he should be exempt from his share in succouring the miseries of his fellow creatures, I will not hesitate to say it had exceeded its powers, and attempted what was beyond its province. Charity is of divine institution; it stoops not to distinguish and discriminate: it knows no distinction of properties: it is an imperious duty, binding on all—crime and infamy would deservedly attach on an attempt to bar the rights of humanity. But none such will be made. The immutable principle of justice which directs the policy of parliament has led them to enact that all property shall be liable to contribute to the support of the poor. There wants no new law. It only requires additional machinery to bring into action the laws already in existence. Within these walls this will scarcely be doubted: I shall however refer to two or three decisions on the point.

In 1633, the judges resolved, "that the personal, visible ability of the inhabitant might be rated: in a subsequent case, that every inhabitant should be charged in respect of his personal estate and ability." More recently, in the reign of Geo. 1st, the king v. the inhabitants of Clerkenwell, on the validity of a poor rate made upon a land tax assessment, it was quashed by the court of King's-bench as being an unequal taxation, because the personal estate in the public funds is not chargeable to the land tax, but is chargeable to the poor rates." The same doctrine has always been held, and the failure of taxing personal property has arisen from the difficulties which attend it. No doubt as to its liability has ever been entertained. The grounds on which the assessment of personal property has generally failed have been the difficulties of proof, the onus resting with the overseer. The showing also any other species of property unassessed, subjects the rate to be quashed,—the office of overseer being annual, few can be supposed willing to expose themselves to the odium and troublesome litigation of such a measure. Reverse the law, and let the proofs rest with the parties assessed, and we shall soon see personal prosperity bearing its just proportion of this oppressive burthen.* If the necessities of the state in war justified a deviation from former policy, will not the suffering state of the poor now plead for them with tenfold force? The public creditor might here plead exemption in all wars which have occurred since the first institution of the funding system. Sir, I do not know that this was ever urged. The necessity was felt so strong, that the justice of the question was not called in question. How far do the present calls of humanity outweigh that of war? though the general law will justify the assessment of the fund, its application would be so endless that the object would be defeated, I should therefore propose calling in funded property to take its share of the burthen, that the sum arising from it should form a fund for equalizing the rates throughout the kingdom, and be employed in aid of the parochial fund, where the sums raised ex-

* Such is said to be the practice in the island of Jersey. Each man is there rated both for his real and personal income, to the relief of the poor. If he thinks himself aggrieved in the rate, he is entitled to a reduction, on proof that he is overcharged.

ceeded in a certain proportion the rate now levied, or due, on real ratable property. The accounts to be audited and allowed by the sessions. That would afford an ample source and be effectual to its purposes. A further and most beneficial appropriation of this fund would be by holding out its aid to such parishes in which the labouring classes should associate for their mutual relief. If an annual million was dedicated to tempt the labouring classes to become independent by means of their own foresight and economy, it would be well and wisely bestowed; and thus one third would be added to the amount of their individual contributions.

Deeply sensible as we must all be of the evils arising from the present burthen of the poor rates, alarming as is the view of their progressive rise, and the expectation of their still further increase, however pressing the call on the attention of the legislature on this ground alone, yet, Sir, there are other motives of a still higher nature to stimulate us. The imputation would, I am assured, be unjust that on this occasion we were actuated by selfish views only. There are other interests to which we must attend, as important as those of the class of society who contribute to the maintenance of the poor. Yes, Sir, the poor themselves have a still higher interest in the correction of the system, which whilst it wastes your means, destroys their happiness. Let the labouring classes in England have the subject freely laid before them, and I will venture to say you will have their blessing if you can devise a plan to restore to them independence and respectability.

I cannot conclude without addressing myself to the noble lord in the blue ribband. Great as was the glory in which you participated with the heroes of Waterloo, unfading as will be the laurels which their valour acquired, a more glorious, a more important victory is within your reach; a victory unpurchased by blood and misery. If out of this committee, which I trust may have the good fortune to reckon you as the most distinguished of its members, you, my lord, can give effect to a measure that shall stop the baneful progress of pauperism and misery, shall plant the gem of happiness in the breast of the rising generation, shall restore to the people of England that independence and honest pride which give estimation to industry, economy and temperance, your name will be numbered amongst those of the first

and greatest benefactors to your country. I move you, Sir, "That a committee be appointed to consider of the Poor Laws, and to report their observations thereupon to the House."

Lord Castlereagh complimented the hon. member on the calm, deliberate, and judicious manner in which he had introduced this important subject; and admitted, that his claim on him for his general view of the subject was fair. He was anxious to support inquiry, as were all around him. The hon. member might rest assured, that his majesty's ministers would most cheerfully dedicate so much of their time as they could possibly withdraw from other duties, to assist in the investigation of this most important subject. Though he might entertain doubts, whether all the sanguine views of the hon. gentleman could be realized by the labours of the proposed committee, he certainly believed that much good might reasonably be expected from the measure; and it should not be said at the close of the inquiry that any indifference had been shown by ministers with respect to it. The subject was one of the very utmost importance to the safety and prosperity of the country; and if any class of men were called upon more than another to give their attention to it, it was those who were entrusted with the care of the affairs of the nation. The mind of government ought to be turned to that subject above all others; and after his majesty's ministers saw their way clearly, and were satisfied of the existence of a disposition in the country to support any measures which it should be deemed advisable to propose, they would then feel themselves justified in giving every assistance in their power to the giving effect to them. He assured the hon. gentleman, that he took as gloomy a view of the influence of the poor laws in breaking down the national character as he could possibly do; and if no means could be found of elevating the national character by inspiring the population of the country with the wish rather to live on their own labour, than on what they could draw from the labour and property of others, he firmly believed that the English people would not in future ages be what they had been in times past. He believed, that if they were to look to the mere letter of the law, they would find that the statute of Elizabeth and the poor law of Scotland would be found nearly the same. But though the original pur-

view of the poor laws of England and Scotland might be the same, what was the difference in the practice of these laws? It was of extreme importance to contrast the respective systems of England and Scotland under the same laws, and to contrast the state of England and Scotland again with that of Ireland under the absence of all poor laws, for he went with the hon. gentleman in the favourable character which he had drawn of the Irish peasantry, and he had always thought that the hardness of the lot of the lower orders of the people of Ireland had been infinitely exaggerated; he agreed with the hon. gentleman, that they might trace, in the habits of living of the Irish labourer—in the plain and simple fare which he took, but which was neither unfavourable to strength of body or of mind—in the habitual cheerfulness of his disposition—in the manly simplicity of his character, and his kind sympathy with his fellow creatures—in these they might trace the absence in Ireland of those laws which in this country had broken down the character of the lower orders of the people by accustoming them to the dependence and degradation of asking for individual relief; for every man who had any knowledge of human nature knew how much the characters of men were influenced by the situations in which they were placed; and in that part of the empire, where the people had no claim for parochial support, they cheerfully contributed to the relief of the wants and distresses of each other, and displayed a spirit of mutual hospitality and charity as friends and neighbours, which made their character as interesting as it was respectable. This was observed more or less in other parts of the empire in proportion as the poor-laws were either relaxed or partially executed. In Scotland, where the population was not so dense as it was in England, and where manufactures had been more recently introduced, the construction which was given to a law in the latter closely resembling that of Elizabeth, was very different from what had been given in England; and that facility in the obtaining of pecuniary relief, which indisposed men, or rendered them indifferent to labour, had never yet crept into the practice of Scotland. In that part of the United Kingdom the practice was for proprietors to assess themselves in what they deemed necessary for the support of those whom they themselves considered as entitled to

it. They might look, therefore, to the situation of Scotland as an intermediate state between that of Ireland and England, where the claim for support was looked on as a matter of right, and the magistrate forced the parish to afford relief. The proprietors of land in Scotland relieved individually those only whom they considered fit objects of relief; but in this part of the empire, where the meaning of the original law had been explained by subsequent statutes, they were to consider it as a founded notion, that no man suffered distress without having a right to be relieved. This opinion then, being so generally entertained, he could not but think that they were bound to proceed in this subject with great caution, though when he said this, he assured the hon. gentleman, that, if he should have the honour to be on his committee, he should have to charge him neither with neglect nor with indifference; but, upon the maturest deliberation, he was apprehensive that he could not consent to shake a system that was so generally considered as founded in right as well as in law; especially at the present moment, when the poorer classes had established such a claim on the admiration and benevolence of the more affluent by their patience, their fortitude, and resignation under those great sufferings and privations which arose out of the transition of the country from one state of social exertion to another, and from which he hoped the charitable and humane contributions of individuals, coming in aid of the law, would find them relief, till a change of circumstances, which might soon be expected. However desirable it might be to make some change in the poor laws, the property of the country could not at once escape from this burthen. He could wish the hon. gentleman not to appear to hold out any thing like the delusive prospect to the landed gentlemen of this country that in one day they could escape from the present system. No man could venture to think that it was possible to shake so firmly rooted a system, established too by so long a course of legislation, at once. Any notion of precipitate measures directed against the system could not be entertained; but while he said this, he would allow that measures might be adopted, connected with improvements in the administration of the existing law, which might be attended with the greatest advantage to the objects of it, namely,

the poor. The present system not only went to accumulate burthens on the country which it could not continue to bear, but to destroy the true wealth of the poor man, the capability of making exertions for his own livelihood; for if pecuniary relief went on with the laxity which now prevailed, and all the cunning of uncultivated minds was to be directed to the means of escaping from labour and enjoying the fruits of the labour of others, a national calamity might be said to be overtaking us by a double operation—in the increased burthens imposed on the country, and the diminution of the industry from which its resources were derived. Though, therefore, they could not set themselves against the statute of Elizabeth, yet they could look into it, and on doing so, they would find that these objects which were within the original purview of the law, were the sick and infirm poor, and those labouring under temporary difficulties from want of work. Without any innovation therefore on the existing law, or shaking any of those claims which were supposed to exist under the law, he apprehended that no proposition was more clear than that when a man possessed bodily ability to work, the performance of work might be made the criterion of the condition entitling him to relief, and that his pecuniary claim might be invariably founded on his disposition to work. If that were made the basis of the poor-laws, there was hardly a parish in England, however small, where the industry of those able to work and applying for relief, might not be turned to advantage. In every parish they might find materials sufficient for relieving all the distressed of the parish by means of work, excepting children, and those whose advanced age or infirmity precluded them from exertion. But he would push this principle so far, that he would rather employ the labouring poor to dig a hole one day, and make them fill it up again the next, than allow them to remain idle, and expose themselves to the danger of losing the use of their hands and legs, and the power of making themselves serviceable to themselves and their country. Though this labour might not be immediately productive, it at least kept the labourers in a state which rendered them capable of future efforts, and thus averted one great danger to be apprehended from a great proportion of the labouring poor subsisting without effort at all. If the law did

not receive some such correction in its administration, the evil would at last become too strong for the law. But in order that an improved system should take place they ought to look to a more effective administration of the law. He doubted whether any remedy could improve the practice which prevailed in considerable portions of this country, where systems were established by particular laws, adapted to the peculiarities of the situation and the habits of the people. But though they could not have much expectation of amelioration with respect to such plans, there was certainly the greatest room for improvement in the great mass of parishes where the administration of the poor laws was lax in an extreme degree, and in hands which could not possibly administer them well. In one parish with which he had some connexion, the administration of the poor laws was in the hands of a woman. Under such a system of administration all sorts of tricks, were resorted to by those whose idleness disposed them to withdraw themselves from labour. To counteract these tricks, and to prevent the misapplication of the funds of charity, required an officer of an experience, and knowledge of the character of the different individuals of the parish, not merely of one, but of two, three, and four years; and without such experience, he could not be considered as capable of filling the office. The House were aware of the legislative provision already subsisting, by which a power was given to unions of parishes, where there was a common workhouse to employ overseers with salaries. But hitherto, when parishes had employed any person at a salary as an overseer, it was to be considered as a breach of the law; for there was no law by which an intelligent person could be employed as an overseer of a parish at a fixed salary. He did not wish to change the parochial system, and he could wish farmers to go through the parish offices by rotation, that they might feel a confidence that the parish funds were not misapplied; but he thought they could not do the parish business well without a permanent officer. He thought that an officer paid by the parish, who would devote his whole time and attention to the administration of the poor laws and the charge of the poor, might execute the business more skilfully and beneficially than it was executed at present. The hon. gentleman had, at

some length, gone into the subject of bringing in personal property to contribute to the common burthen. To the abstract principle he had nothing to say—he would even give to it his concurrence; but he thought the hon. gentleman might almost have collected, from the absence of execution of this principle up to the present day, that there was some difficulty hanging about it. Here he thought he was entitled to caution the hon. gentleman not to be so precipitate; and to renounce the idea which he seemed to entertain, that nothing was wanting on the part of the committee, but, determination to overcome the difficulty. He, for one, certainly did not go into the committee with that sort of ardour which seemed to be felt by the hon. gentleman, or with any thing like a pledge that they would overcome those difficulties, which he apprehended would meet them, from the circumstance that a principle so wise and so equitable had never been carried into execution up to the present day. The difficulty was the getting at personal property by taxation. On former occasions it had been found difficult to make personal property liable to an assessment for the state, and he was persuaded that that difficulty would not be diminished in an attempt to render it liable to an assessment for the poor. With respect to the application of such funds as might be obtained from personal property, in aid of the general interest, on a principle of equalization, assisting such parishes as were already taxed to a given amount, he could never approve of such a system. By it a parish which had once arrived at a maximum would have nothing to do but to put its hands into the pockets of the rest of the country. There would then be no interest whatever to counteract abuses, and to watch over the due application of the parish funds. Let not the hon. member apprehend, when he touched on these ideas, that he wished to discourage all attempt to overcome the difficulty—he threw them out because he wished them to go into the committee with the large views and liberal spirit of statesmen, who were determined to remove an acknowledged evil; or to show, by their exertions, that if it was allowed to continue, it was owing to unavoidable circumstances, and not to supineness on the part of the House, or from a reluctance to struggle with the difficulties that presented themselves. They were about to struggle with

one of the greatest difficulties that ever legislation had to struggle with, and a difficulty that the whole legislation of the country had hitherto gone to augment. If he understood the hon. gentleman, his views of amelioration were very much connected with the system of saving banks, introduced by a right hon. gentleman last year to the notice of the House. If the hon. gentleman condescended to propose his name as a member of the proposed committee, he would go into it perfectly unincumbered with prejudice; he would go into it with no favourite plans or ideas; he would go into it with his mind open to conviction; he would go into it with the deepest impression of the immense importance of the subject, and with the fullest belief, that if no change were soon effected, the fabric of our greatness, and the system of our industry, would soon be shaken; but at the same time he would go into it with the highest sense of the difficulties of the question. He dreaded any interference with the saving banks, which he rejoiced to see likely to spread from voluntary adoption: as he was afraid that a conversion of the system from a spontaneous to a compulsory mode of contribution, would nip in its infancy a plan which promised to bring back the people to habits of industry, providence, and economy; to teach them ideas of independence, and make them look for relief—the relief that must always be the most grateful and effectual—from their own ingenuity, prudence, and labour. He begged pardon for detaining the House so long; but he thought it incumbent upon him to make the observations which he did, and to throw out the ideas that occurred to him on this momentous subject, that too high expectations might not be formed from the committee, and that proportionate disappointment might not be felt. This was not a party question. He was sure both sides of the House equally felt its importance, and were equally free from hasty or intemperate prejudices with respect to it; and that their utmost exertions would be pledged to the formation of some measure in which all were equally interested. No question went so deeply to affect the happiness of the whole community. Under this impression he was happy to lend his warmest support to the motion for a committee. He entered into the proposition with the utmost cordiality, and if so fortunate as to be appointed one of its members,

he would lend it all the assistance in his power.

Mr. *Curwen* wished to say one word in explanation. He did not mean that the slightest degree of coercion should be used as to saving banks. His plan was to be adopted only where it met with the wishes of the majority of the parishioners.

The motion was then agreed to, and a committee appointed.

HOUSE OF LORDS.

Monday, February 24.

SINECURE PLACES—VOLUNTARY CONTRIBUTIONS]. The Earl of *Darnley*, before their lordships proceeded to the order of the day, was desirous of saying a few words on a subject of great importance. Their lordships were about to adopt a measure of great severity, the necessity for which was said to be grounded on proceedings, evidently occasioned by the distress of the times. Now he would venture to assert, that whilst their lordships were adopting proceedings against dangers supposed likely to arise, they were overlooking a mode by which much of the present irritation might be avoided. Their lordships must feel that every class of society, from the richest peer to the lowest labourer, were more or less affected by the pressure of the times, except those who were supported out of the public revenue. In a few words which he addressed to their lordships, at the commencement of the session, he lamented that ministers had not advised their royal master to contract his expenses. Such advice had since been given, and a considerable portion of his royal highness's income had been given up. It might have been done with a better grace, and it would have had a much better effect, if the proposition was made on the first day of the session. He was happy to find, that a noble marquis had taken the earliest opportunity to follow that example, and had made a very considerable sacrifice for the benefit of the public. That example had not, as far as he knew, been acted on by any other noble lord, and he should be glad to learn whether an intention of imitating it existed.

Lord *Rolle* said, that in consequence of the removal of the property tax, which had been loudly called for by the noble lord, a necessity existed for continuing other taxes that bore more severely upon the poor. He would, therefore, ask of the noble lord who required such sacrifices from others,

whether he would put down one-tenth of his income, in order to enable the Legislature to relieve the poor from the burthen of the salt tax, the leather tax, &c.? If he did, he was sure others would follow his example.

The Earl of *Darnley* said, he had guarded himself in what he had addressed to the House, from the observation which the noble lord had thrown out. He had stated, that every individual in the country, from the richest nobleman to the poorest peasant, felt, more or less, the pressure of the times, except those who were supported by the public revenue, — and, what he wished to know was, whether the example of the noble marquis, to whom he had alluded, was likely to be followed generally, by persons who received large sums of the public money.

Lord *Rolle* said, the proposition of the noble earl was a partial, his was a general one.

Earl *Grey* said, if he were asked to give that species of relief to which the noble lord, who had just sat down, alluded, he would answer, “I will give no such assistance—I already pay in taxes, more than I can afford to pay.” Advantageous as his situation was, when compared with that of other persons in the country, he could not suffer such a reduction of his income, without contracting some branch of his expenditure. He was not one of those who thought that the tax which his majesty's ministers had voluntarily imposed on themselves, was one which the country called for, or which they ought to accept. The public did not want a reduction of the salaries paid for efficient services, they demanded a diminution of the expense created by useless and unnecessary offices. This system of compulsory benevolence ought not, he conceived, to be followed. A general and oppressive tax, to make efficient offices pay, in order to protect and preserve those that were useless, was one that the country did not call for, and which would not answer. What was wanted in the way of economy and retrenchment—what the country called for demanded, and had a right to expect—what the people required, and what that House could not refuse—was, that every article of expense, even the most trifling, which the good of the state did not warrant, should be abandoned. This was the answer he should make to the noble lord on the cross-bench. Such was the character of the measures which his noble friends had supported—

these were the measures from which, however popular feeling might, for a moment, be excited by severe distress and pinching want, he trusted the public mind would not be long diverted; and to effect a diversion of that nature, he believed, was the great object of ministers, in bringing forward the measures which they had proposed for their lordships' adoption.

REPORT OF THE SECRET COMMITTEE

—MR. CLEARY'S PETITION]. Earl Grovesnor said, he rose for the purpose of presenting a petition from Mr. Cleary similar to that which he had introduced on Friday, and which their lordships then rejected. In the course of the discussion that then took place, it was stated by the learned lord on the Woolsack, that it could not be received, because it alluded to the report of the secret committee, of which the petitioner could not be cognizant, and because it referred to a measure not then before the House. He now tendered the petition in such a shape (all notice of the committee being omitted) as would, he trusted, prevent any objection to its being laid on the table.

The petition was then read. It denied the existence of the London Union Society for the last three years, but made no reference to the report of the committee. Earl Grovesnor then moved, "That the petition do lie on the table."

The Earl of Harrowby said, he did not rise to object to the receiving of the petition, which rested on very different grounds to that of the same individual presented to the House on Friday, and was now perfectly regular. He felt it necessary, however, to say a few words upon the question to which that petition referred, involving as it did the correctness of the report of the secret committee. He felt on Friday, that it would not be proper for him to attempt to state, from imperfect recollection, what was the nature of the evidence which induced the committee to come to that conclusion, which was denied by the petitioner. He felt this the more, he having had the honour of being the chairman of the committee. He had been therefore of opinion, that he ought upon such an occasion to speak only what he was authorized by the committee to state. The members of the committee had accordingly in the intervening time assembled, and had gone into an anxious examination of the evidence upon which they had founded their report. The result, he was authorized to state.

With regard however, in the first instance, to the charge of implicating the London Union Society with the projects of the Spencean Philanthropists, it was no fault of the committee; but the construction put upon the passage entirely arose from the fault of the printer in not making a break where he (lord Harrowby) had marked it; but the true grammatical construction of the passage evidently took away from the Union Society all charge of being implicated in the projects of the Spencean Philanthropists. The passages stood thus in the report:—

"Others of these societies are called Union Clubs, professing the same object of parliamentary reform, but under these words understanding universal suffrage and annual parliaments, projects which evidently involve not any qualified or partial change, but a total subversion of the British constitution."

"It appears that there is a London Union Society, and branch Unions corresponding with it, and affiliated to it. Others of these societies have adopted the name of Spencean Philanthropists: and it was by members of a club of this description that the plans of the conspirators in London were discussed and prepared for execution."

It would at once be seen that the words, "It appears that there is a London Union Society, and branch Unions corresponding with it and affiliated to it," belonged to, and ought to have formed a part of the preceding paragraph, without being immediately connected with what followed, respecting the Spencean Philanthropists. For this, therefore, the committee were not answerable. With respect to the phrase, "It appears that there is a London Union Society, and branch Unions corresponding with it, and affiliated to it," and the truth of which was denied by the petitioner, the committee had felt it incumbent upon them to go again over the evidence upon which that statement was founded, in order that there might be no possibility of mistake. For the purpose of satisfying the House, he was authorized to refer to a part of the evidence, respecting which there could be no danger, it being a printed bill from Sheffield. This bill announced the formation of an Union Society at Sheffield in October 1816, which was to correspond with the London Union Society, and with the branch Unions, and one of the resolutions of which expressly stated, that by a rule of the London Union a subscription

of 20s. by any person becoming a member of a Local Union, entitled him to become an honorary member of the London Union. The committee, therefore, had every reason to conclude, from the evidence before them, not only that a London Union society was then existing, but also that there was an affiliation to that of Branch Unions. With regard to the expression, "corresponding with it," the committee had, upon a further examination not been able to trace any correspondence between the Branch Unions and London Union Society, *eo nomine*. That expression, therefore, he admitted was incorrect; instead of "corresponding with," the phrase ought to have been "co-operating with," the proof of co-operation derived from the Sheffield bill being sufficiently clear, as was also the affiliation. It would thus be apparent, that the only error was the expression "corresponding with," and that there was no charge against the London Union Society, implicating the members of it with the projects of the Spencean Philanthropists.

Lord Grenvillesaid, that when the subject was under consideration on a former occasion, he had felt himself in the same situation as the noble earl who had just sat down. This, however, he was sure of, from a very jealous attention to the conduct of the committee, that nothing like any intention to deceive had ever existed on their part, when he had heard the statement in the petition, his first desire was again to see and examine the evidence: and if, upon such examination, it should appear that the committee had fallen into any error, it was his most anxious wish that the very earliest opportunity should be taken of clearing up that error. It was no degradation to any one to acknowledge an error into which he might have accidentally fallen; the degradation would have been in persevering in it, where error had been discovered. He assured their lordships therefore, that he had at first gone to the examination of the papers as if he had gone into a jury-box, to form the best judgment he could upon the evidence laid before him. He went back again to the consideration of the evidence with the same feeling, and with the conviction, that if any error should be discovered, the amount of that error ought to be distinctly and immediately stated. The noble earl who had just sat down had shown, that whatever misapprehension

might have arisen from the mode in which the report was printed, the committee was no party thereto; but had, in fact, directed it to be printed in a different form; and if any one found his feelings hurt by its being represented that he held the principles of the Spencean Philanthropists, owing to the mistake which had just been stated, he trusted that such person would be satisfied with the explanation which had been given; and it ought to be observed, that it was distinctly stated in the report, that "the committee would by no means ascribe to all these societies the same practices and designs which they had found to be but too prevalent amongst a large number of them."—Another point on which the noble earl had not touched was this—that some appeared to have imagined the committee meant to say that it was the intention of all those societies to produce those consequences which the committee itself firmly believed would result from carrying their projects into execution. Many of them might not have intended these consequences; and every candid mind would make the distinction. He himself firmly believed, that the effect of annual parliaments and universal suffrage would be not a qualified or partial change, but the total subversion of the British constitution. The committee, however, never intended to impute any such motive to all those societies; but when they said that those projects involved not any "qualified or partial change, but a total subversion of the British constitution," this was an argument and inference drawn by themselves from the evidence which had been laid before them. Then, as to the assertion in the petition, that the London Union Society was not now in existence; whether it was true that it existed or was dissolved, he knew nothing, except from the document which had been mentioned to their lordships. He never knew, or if he did know he had forgotten the circumstance, that any such London Union Society had existed, till he had read this address of the Sheffield Union. All he was anxious for was to show the ground upon which the committee had proceeded. A document had been laid before them, published in October last by the Sheffield Union, stating their object to be co-operate with the London Union and its branches. From this the committee had drawn a conclusion that the London Union did exist; and that there were branch Unions corresponding with it, and affiliated to it. They

found in the same address of the Sheffield Union, a reference to a rule of the London Union Society, by which a person who subscribed annually twenty shillings to any of the local Unions became an honorary member of the London Union; and they could find no term which appeared to them to express this connexion so precisely as the term "affiliation." This was exactly what the committee meant by that term; and they thought themselves authorized to make the statement which appeared in that passage of the report, upon the ground of that document. That this might be met by contrary evidence there was no question; but he trusted that the statement of the committee, reporting only upon *ex parte* evidence laid before them, would be justified up to that point. With the same openness he wished to state, that in as far as correspondence was distinguished from co-operation, the committee had fallen into a mistake. He could not easily see how there could be co-operation without correspondence; but he admitted that there might, by possibility, be such co-operation without correspondence; and he was willing to apologize for that degree of inaccuracy. He entreated their lordships, therefore, to discharge from their minds all notion of correspondence, so far as it was distinguished from co-operation. This much he had thought due to his character and feelings to declare to the House upon this subject.

Earl Grey, before he proceeded to make some observations on the statement which had been submitted to the House with respect to the grounds on which the committee had proceeded when they referred to the London Union Society, requested permission to congratulate their lordships upon the circumstance that they now saw no objection to the receiving of this petition. It would be a consolation even to those who voted against it the other night, and who must now be presumed to have done so with very great regret, to find that the time and the occasion were so soon arrived when they might indulge their feelings so far as to allow the petition to be laid on the table. But with respect to himself, who was not capable of applying to the consideration of the subject that nice discrimination which belonged to the learned lord on the woolsack and the noble lords on the other side of the House, he could not possibly see any grounds for the rejection of the petition before, which might not, with equal just-

ness and force, be stated for its rejection now. The petition, however, was now to be received, and on that circumstance he congratulated their lordships.—Now, then, as to the statements made in the report of the committee; and here he begged leave to set himself right with the House and the public, and to protest against any inference being drawn from his observations, that he meant to say that the committee had stated any fact which did not appear to them to be warranted by the evidence before them, or had stated any conclusion except such as they imagined might be fairly deduced from that evidence. His noble friends, he trusted, could never have supposed, that he had ever intended to throw any imputation on their motives; and political hostility could not lead him to think, that the noble lords opposite were capable of any attempt to represent the effect of the evidence laid before them any otherwise than such as it appeared to them to be. But the circumstances, as now brought before them, showed the danger of proceeding to legislate on matters of the highest importance—to suspend the laws upon which the liberties of the subject depended—merely on an examination of *ex parte* evidence. All that he had imputed to the committee was, that they had nothing but *ex parte* evidence to go upon, and that human minds were fallible. Then what was it that this petition complained of? His noble friend who spoke last, and the noble president of the council, had considered the subject of complaint to be, that the petitioner had been confounded with the Spencean Philanthropists. He, however, did not think that this was the gravamen of the complaint; nor did he think it of much consequence to the matter in question, whether, in the printing of the report, it had or had not been rightly pointed. What the petitioner complained of was, a charge of a much more grave and serious nature—a charge that he was connected with a system of clubs spread over the country, having for their object the subversion of the British constitution. This was the charge made by the report; and the House ought not to suffer itself to be led away with the idea, that this statement, as to these Union Clubs, did not constitute a material feature of the report. What was the statement of that report? That societies were established throughout the country, with a traitorous design of subverting the constitution. This was the

general statement, and these the objects which these societies were said to have in view. The committee stated, that some of the societies established for these purposes were called Hampden Clubs, that others of them were called Union Clubs, and that there was a central Union Society in London. Now he would ask, whether this individual, if his statement was true, was not materially aggrieved by the report of the committee; and whether they were not called upon, in justice, to allow him to explain and justify his conduct? He (lord G.), said this was a most serious charge, especially at this moment, when they were proposing to suspend the Habeas Corpus act, to enable them to detain in custody such persons as the ministers thought fit, without bringing them to trial. It was, under these circumstances, a most serious charge against an individual to be described as engaged in such a system. Had they forgotten the act of 1799, which referred to affiliation and unlawful correspondence with branch societies; and that the offence might be punished with a fine of 20*l.*, or three months imprisonment; or, upon indictment, with transportation for seven years? If the committee were not able to call for an explanation, why did not the secretary of state call for it? And why had he not proceeded, with the advice and assistance of the attorney-general, by law against these societies, if such objects were in their contemplation? The noble president of the council had stated, that the address of the Sheffield Union Society was the ground upon which they had proceeded: but what their lordships had now to consider was, that a most material fact stated in the report of the committee had been directly impeached by the secretary to the Union Society. His noble friend, who spoke last, and the noble president of the council, had said, that they retracted the word "correspondence," and meant only to insist upon "co-operation." It was worthy of their candor, if they had fallen into an error, thus to acknowledge it: but with all due deference to them, if the word had been "co-operation," it would not have made the matter much better. The Sheffield society spoke of "co-operation;" but the answer of the petitioner was, that the London Union Society had not been in existence for three years past; and there was, therefore, no possibility of co-operation: and this, and other important facts, impeaching the statement of the

committee, the petitioner averred that he was ready to prove at the bar. He (lord G.) believed he had authority to state, that there was now in the House a note from the present lord mayor, whose conduct, on a late occasion, he thought, would at any rate free him from having any concern with societies engaged in traitorous conspiracies, stating, that he and Mr. alderman Goodbehere had examined the books of the London Union Society since the time of the former discussion on the subject in that House, and that they firmly believed that every part of the statement in the petition was strictly and correctly true; and that they were themselves ready to come forward as witnesses, and substantiate its allegations at the bar. This was no light matter: it had been no light matter before; and now it had assumed a much more grave and serious character. Their lordships had now agreed to receive the petition, and having received it, they were bound to examine its allegations, and in justice to the petitioner, to themselves, and to the country, to reappoint the committee to investigate more fully the subject matter of that petition. He thought this was a duty from which they could not absolve themselves; and in the mean time he thought that all further proceedings on the bill ought to be suspended until the committee had completed that investigation. The statement now impeached was one of the most material features of the report: and if the allegation in the petition were true, that the London Union Society did not exist, that fact ought to be explained before they proceeded to legislate on a matter of this importance. If they did not adopt the course which he recommended; they would diminish the respect of the country for their decisions. The noble lord on the woolsack, even though surrounded by the military, and with all the security of power, when he had on a former night said, that even though he stood alone he would protect the orders of the House, appeared to have felt as if he had been exposed to some personal danger. Let him, then, sympathize with this humble individual, who had no such security; and who might be exposed to the severe penalties of the laws, if their lordships proceeded to act upon the report of the committee without farther investigation. But the interests of this individual were as nothing in comparison with the greater interest which the public had in this question, which was

neither more nor less than this—whether the Habeas Corpus act, which had been called the palladium of their liberties, should be suspended on the ground of a statement which was now directly impeached. He imputed nothing improper to the committee, although he thought there was some negligence on the part of the noble secretary of state, who ought to have fully investigated the subject before he recommended the adoption of such measures as these; measures which would never be satisfactory to the country, unless it clearly appeared that they were called for by a paramount necessity. He would show that he had never meant to impute any improper motive to the committee; for he earnestly recommended that this petition should be sent back to them, with directions more fully to investigate the subject, and report upon the whole to the House. He felt that this was a matter of the highest importance, and trusted that this recommendation would not be rejected by their lordships.

The Earl of *Liverpool* said, that the motion before their lordships was, that the petition be received, and to that motion he should offer no objection; but, notwithstanding the speeches which had been made by the noble earl now, and by the noble baron near him on the other night, he must say, that he had heard nothing which could induce him to alter his opinion, or to regret the vote which he had given. The noble earl had represented him to have said, that though the petition could not be received on Friday, there might be stages of a future measure in which a similar petition could be legitimately submitted to their lordships consideration. He had stated that in the progress of any bill, a petition against the principle of the proposed measure might, consistently with the privileges of their lordships, be brought under their notice; but that no petition of the nature of that of Friday, which not only complained of statements in a report which could not legitimately have come to the knowledge of the petitioner but also had reference to measures which the petitioner supposed to be in contemplation, was fit to be entertained. The petition now read was of a very different nature, inasmuch as it applied to a measure before the House. It came before their lordships under very different circumstances, and its prayer was also very different from that which the noble earl opposite wished

to have laid on the table on Friday. In fact, the former petition, if it prayed against any thing at all, it prayed against something of which their lordships had no knowledge, as it related to a measure merely expected to be proposed. If any line was to be drawn with respect to petitions (and surely some line was necessary), that which he had stated was plain and obvious. The distinction, whether allowed to be right or wrong, was a clear one; and it had justly, he thought, been considered by the House as affording a sufficient ground for rejecting the petition presented on Friday.—Having said thus much with reference to the business of Friday, he should now trouble their lordships with a few words on the other branches of the subject. Indeed, after the clear, distinct, and manly statements of his noble friend, and the hon. baron opposite, relative to what had passed in the committee, he could not have occasion to detain their lordships long on these points. Those noble lords had shown, that the paragraph in the report which appeared to connect the Union Clubs and Spencean Societies had been erroneously printed; and they had also stated and explained the evidence on which that part of the report that speaks of the London Union Society was founded. The noble earl, however, considers this explanation insufficient, and contends that serious injury has been done by the report to the individual who has signed the petition, and to the other members of the Union Society. In taking this view of the subject, however, it was plain that the noble earl had confounded two distinct parts of the report. The conspiracy for overthrowing the government was alluded to in the first instance, but it was to be carried into effect by meetings called on the 15th of November and the 2d of December. It is afterwards stated, that various societies have, by the notions they disseminate, a tendency dangerous to the public security. This tendency is attributed to these clubs as the result of the general concoction of their doctrines; but instead of its being the object of the report to include all in the same charge, it, on the contrary, states, that the objects of the declared societies are different, and that many individuals who have become members may have done so without being aware of the ultimate intentions of many of their leaders. Some clubs are stated to have for their object annual par-

liaments and universal suffrage; others are described under the name of Spencean Philanthropists; but it never was intended to confound these two descriptions of persons together. What the report inferred was merely this—that they all tend to the same end, namely, to shake the allegiance of the subject, and to dissolve the bonds subsisting between the government and the governed. This was described as a general effect, but not as the direct object, either of all the societies, or of all the individuals composing them. With regard to the question respecting the Union Society, it cannot be denied that there exists in different parts of the country societies under that name, which are affiliated, which correspond with each other, and whose avowed object is the establishment of annual parliaments and universal suffrage. His noble friend had read a paper which showed that a country society proposed to correspond with the London Union Club. Was it to be supposed that they would resolve to correspond with a society which did not exist? The petition, it was true, stated, that the club had not met for three years, but it did not say that it was actually dissolved. If, however, the petitioner and the members of the London Union were supposed to be affected by the charge of affiliation and correspondence between that and other societies, the imputation was not so groundless as the noble earl seemed to suppose. He had referred to the society's regulations, and it appeared that they contained not only foundation for what was stated in the Sheffield resolutions respecting the right of every member who contributed 20s. to the country society to become an honorary member of the London Union, but also a distinct recommendation to promote the institution of provincial clubs of the same description. The 13th article stated, that the cause of parliamentary reform would probably soon be crowned with success, if numerous Union Societies, on the same plan and principles as the London Union, were established in every country, city, and town in the kingdom, and it was recommended to the members to exert themselves in forming such establishments. What was this but forming affiliated and corresponding societies? He should, however, be told by the noble earl, that the London Union had not met for three years. He was not disposed to contest this assertion, taken in one sense: it

might be true that the society had not, during the period specified, met as it was originally constituted, under the same name and with all the members present whose names were included in the petition; but that Union Societies had very recently met, having the same secretary and some of the same members as that in question, was matter of public notoriety. On the 22d of January a meeting of delegates from various societies met under the pretext of petitioning for parliamentary reform. These delegates declared for annual parliaments and universal suffrage, and their chairman was major Cartwright, their secretary Thomas Cleary, the petitioner [*Hear, hear!*]. This meeting adjourned, after passing resolutions to the effect he had stated; and he must contend, from its constitution and its proceedings, that it was in effect a London central Union Club. Under the circumstances stated, the petitioner had no right to complain. It was, in fact, part of the system of the leaders of these societies to make them change their names. What effect the circumstances which had been stated might have on the measure the House was going to discuss he could not determine; but whoever looked at the votes of the other House of parliament, and observed that great numbers of petitions had been presented from different parts of the country, all in nearly the same terms, and praying for the same object, certainly could not doubt that there was a central Union Society, directing and putting in motion the rest; and where could this be supposed to be placed but in London?

Lord Holland was of opinion, that the reasons the noble secretary of state had assigned both for the rejection of the former petition, and for the receiving of the present, were equally unfounded; but, leaving that question, he should proceed to the point now immediately under consideration, which was of the greatest importance, both with respect to the present preservation of the people's rights, and as handing down a memorable example to posterity. The noble earl had entered into some detail of argument to show, that the London Union Society referred to in the petition did now exist, either under the same or some other name; but their lordships would recollect, that it was not upon reasoning, but upon fact that they had to decide. The committee, he was well convinced, had acted with the strictest honour, and to the best of their

judgment; but they were fallible men, and had to report upon *ex-parte* evidence. They had to draw some conclusion from the evidence with which they were furnished, and they might have come to a false conclusion. He would not say that their report was disproved, but its credit was certainly impeached. The question was not, whether a Union Society existed; but whether, when the report was so contradicted, their lordships would not pause to inquire, before they agreed to the bill now on their table. They were asked to do away that law which was the birth-right of the people; but before they proceeded to adopt that calamitous measure, they ought to be convinced whether the report rested on evidence which could not be contradicted. It was offered to be proved that the London Union Club had exercised no function for three years and a half; but the noble earl says, that does not signify; a club of the same sort lately met under a different name. But this was far from sufficient to reconcile the inconsistency and incorrectness of the report. How did it happen, that his majesty's ministers, when the facts in their possession respecting illegal and even treasonable proceedings came to their knowledge, took no steps to avert the danger they apprehended? The noble lord had stated, that these societies had changed their names; but that change ought not to have enabled them to elude his vigilance, if their projects were of the nature stated. What were names under such circumstances? This proof of the existence of the Union Society under another name, which the noble earl was so anxious to establish, reminded him of the story of an Irish gentleman, who wrote a book to prove, that no such person as Ossian ever existed; but who finding his proofs in support of that proposition rather weak, turned round, and proceeded to establish, that if Ossian did really exist, it was perfectly clear that he was an Irishman. The reasoning of the noble lord about the Union Club was much to the same purport. Their lordships were now asked to depart from their usual forms—to set aside their standing orders—to pass a bill which was to deprive the people of their liberties, of the most valuable rights they inherited from their ancestors. Why this haste? Why the present apprehension from delay, when he should shew, from a petition in his pocket, that ministers had been in-

formed of all that was to take place at the meetings they now represented as so dangerous. The adjournment of such meetings as that of Spa-fields, from one day to another, he certainly considered highly improper; but whether it was proper or not, he had got proofs in his pocket of that adjournment having received the sanction of his majesty's ministers [Cries of Hear, hear!]. Well, it may not be true, but this was certain, that there was not much difference between the evidence on which the report was founded, and that which he had to offer. The noble lord had brought forward his *ex-parte* evidence in the committee; it was but fair, then, that his (lord Holland's) should be heard also. He had in his pocket a document, in which it was offered to be proved, that the noble viscount had expressed his thanks, and the thanks of his majesty's government, to the person who took a leading part in the meetings now stated to be illegal and dangerous, for his conduct at them. [Loud cries of Hear, hear! in which we distinguished lord Sidmouth's voice.] He certainly did not mean to assert that this was correct, but the facts he had stated were fit to be inquired into before a government of law was changed into a government of arbitrary power. After having so long delayed the meeting of parliament, and having also delayed taking steps to enforce the existing laws against the persons said to be guilty, he thought there could be no just ground for precipitation now.

Lord *Erskine* said, he had heard with great satisfaction the construction now put upon the most alarming passage in the report, though he could by no means reconcile it with its language. When he first connected it with all that preceded and followed it, he had supposed that ministers were prepared to establish such a case as they acted upon in 1795. The proceedings of that period were fresh in his memory, and for ever must remain there; he had however read them over that very morning, with the most anxious attention, and was still utterly at a loss to discover a single point of resemblance between them. If he were asked, therefore, upon such evidence to suspend the Habeas Corpus, he should answer, that he could only suspend his judgment. In 1795 his majesty by his message informed the House, not as now, that from general report he suspected mischievous combina-

tions, but that having detected a formed conspiracy to overthrow the government by rebellious force, he had seized the papers of the conspirators and secured their persons for trial. Was this the case now, or any thing approaching it? On the contrary, the views or at least the acts of the most obnoxious societies, were this moment admitted to be only what he had yesterday supposed them to be when the former petition was presented, viz. that though they were associated to maintain opinions which in their consequences might be subversive of the constitution if adopted, yet that speaking of them generally in the report, they only submitted them to parliament for adoption or rejection. Why, then, were their opinions and wishes on the subject of reform misrepresented and stigmatized as projects, since they projected nothing beyond what the laws solemnly authorised every subject to project? viz. to petition parliament. So much for these Union Clubs—but was there now, as in 1795, any charge of a convention to assume the functions of parliament, and was not that accusation negatived even when it was brought to the test? So memorable an example of the danger of parole evidence, surely administered a wholesome caution, and ought to incline the House rather to court information than to reject it when legally offered. As to the Spenceans, they could not be gravely considered as objects of criminal justice. Instead of the warrants of magistrates, the certificates of apothecaries might secure their persons if they became dangerous, where no Habeas Corpus could reach them even if the act were in force. What other prison, indeed, but a madhouse, could be opened to receive persons so completely insane as to entertain an expectation that in such a country as England, they could bring its whole surface and property into equal division and distribution? Nothing then remained but the blasphemous and seditious publications alluded to in the report; which the existing laws were amply sufficient to suppress, and to punish their authors, but they had not yet been appealed to in any one instance he had heard of. Every thing, therefore, conspired to support the policy and justice of opening the door to further evidence, instead of treating through the ordinary customs of parliament to reject it. The petitions he had himself presented from Glasgow and its neighbourhood were signed by above 20,000 per-

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sons, a large part of the industrious population, and it was preposterous to suppose that they could on a sudden be engaged in a treasonable combination against the state. He implored the House therefore not to be precipitate but to place confidence in the people, governing them by their affections, the only security for the obedience of a free people. In a system of coercion and terror there was no security, and in England it had always overthrown its authors. He was as much a friend to order as the authors of the bill, but he wished to maintain it by the ways of the constitution.

The petition being laid on the table, earl Grey moved, that the petition be referred to the same lords who composed the secret committee, that they be empowered to examine witnesses, and report their opinion to the House. The question was put on this motion, and the House divided—Contents, 23; Not-contents, 74:—Majority, 51.

MR. HUNT'S PETITION.] Lord Holland presented a petition from Mr. Hunt, which was read as follows:

"The Petition of Henry Hunt, of Middleton Cottage, in the County of Southampton.

"Humbly sheweth,

"That your petitioner, who had the honour to be the mover of the petitions at the recent meetings held in Spa-fields, one of which petitions has been received by his royal highness the Prince Regent, and two of which petitions have been presented to, and received by, the honourable the House of Commons, has read, in the public prints a paper entitled a Report of the Secret Committee of your Right Honourable House, and which report appears to your petitioner, as far as his humble powers of disentanglement have enabled him to analyse the same, to submit to your right honourable House, as solemn truths, the following assertions; to wit:

1. "That the first public meeting in Spafields, which had for its ostensible object, a petition for relief and reform, was closely connected with and formed part of, a conspiracy to produce an insurrection for the purpose of overthrowing the government.

2. "That Spa-fields was fixed upon as the place of assembling, on account of its vicinity to the bank and the tower; and that, for this same reason 'care was taken

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to adjourn the meeting to the 2d of December, by which time it was hoped that preparations for the insurrection would be fully matured.'

3. "That, at this second meeting, flags, banners, and all the ensigns of insurrection were displayed, and that, finally, an insurrection was begun by persons collected in the Spa-Fields, and that notwithstanding the ultimate object was then frustrated, the same designs still continue to be prosecuted with sanguine hopes of success.

4. "That a large quantity of pike-heads had been ordered of one individual, and that 250 had actually been made and paid for.

5. "That delegates from Hampden Clubs in the country have met in London, and that they are expected to meet again in March:

"That as to the first of these assertions as your petitioner possesses no means of ascertaining the secret thoughts of men, he cannot pretend to assert, that none of the persons, with whom the calling of the first Spa-Fields meeting originated, had no views of a riotous or revolutionary kind: but he humbly conceives, that a simple narrative of facts will be more than sufficient to satisfy your right honourable House, that no such dangerous projects ever entered the minds of those who constituted almost the entire mass of that most numerous meeting. Therefore in the hope of producing this conviction in the mind of your right hon. House, your petitioner begs leave to proceed to state: that he, who was then at his house in the country, received, a short time before the 15th of November last, a letter from Thomas Preston, secretary of a committee, requesting your petitioner to attend a public meeting of the distressed inhabitants of the metropolis, intended to be held in Spa-Fields on the day just mentioned; that your petitioner thereupon wrote to Thomas Preston to know what was the object of the intended meeting;—that he received, in the way of answer, a newspaper called the Independent Whig of November 10th, 1816, containing an advertisement in these words; to wit: "At a meeting held at the Carlisle, Shore-ditch, on Thursday evening, it was determined to call a meeting of the distressed manufacturers, mariners, artisans and others of the cities of London and Westminster, the borough of Southwark and parts adjacent, in Spa-Fields, on Friday the 15th inst, precisely at 12

o'clock, to take into consideration the propriety of petitioning the Prince Regent and legislature to adopt immediately such measures as will relieve the sufferers from the misery which now overwhelms them. (Signed) John Dyall, chairman, Thomas Preston, secretary;" — that your petitioner upon seeing this advertisement, hesitated not to accept of the invitation;—that he attended at the said meeting;—that he there found ready prepared, a paper, called, to the best of his recollection, a memorial which some persons then utter strangers to him, proposed to move for the adoption of the meeting;—that your petitioner, perceiving in this paper, propositions of a nature which he did not approve of, and especially a proposition for the meeting going in a body to Carlton-house, declared that he would have nothing to do with the said memorial—that your petitioner then brought forward an humble petition to the Prince Regent, which petition was passed by the meeting unanimously, and which petition, having been by your petitioner delivered to lord Sidmouth, that noble lord has, by a letter, informed your petitioner, was immediately laid before his royal highness the Prince Regent. And your petitioner here begs leave further to state, upon the subject of the afore-mentioned memorial, that John Dyall, whose name, as chairman of the committee who called the meeting (and of which committee Thomas Preston was secretary), having before the meeting took place, been called before Mr. John Gifford, one of the police magistrates had furnished Mr. Gifford with a copy of the said memorial, and that that copy was in the hands of lord Sidmouth at the moment when the meeting was about to assemble, though (from an oversight, no doubt) neither the police magistrates nor any other person whatever gave your petitioner the smallest intimation of the dangerous tendency, or even of the existence of such memorial, or of any improper views being entertained by any of the parties calling the meeting, though it now appears that the written placards intituled "Britons to Arms" are imputed to those same parties, though it is notorious that that paper appeared in all the public prints so far back as the month of October, and though, when your petitioner waited on lord Sidmouth with the petition to the Prince Regent, that noble lord himself informed your peti-

tioner, that the government were fully apprized before-hand of the propositions intended to be brought forward at the meeting. So that your petitioner humbly begs leave to express his confidence that your honourable House will clearly perceive that if any insurrection had taken place on the day of the first Spa-Fields meeting, it would have been entirely owing to the neglect, if not connivance, of those persons who possessed a previous knowledge of the principles and views of the parties with whom that meeting originated.

“ With regard to the second assertion, namely, that, “ care was taken to adjourn the meeting to the 2nd of December,” your petitioner, begs leave to state, that it will appear upon the face of the proceedings of that day, that there was nothing like previous concert or care in this matter! for, that a resolution first proposed to adjourn the meeting to the day of the meeting of parliament, and then to meet in Palace-yard, of course not so much in the vicinity of the Bank and the Tower; and that when this resolution was awarded so as to provide for a meeting on the 2d of December on the same spot, it was merely grounded on the uncertainty as to the time when the parliament might meet. Your petitioner further begs leave to state here, as being, in a most interested manner connected with this adjournment of the meeting, that when your petitioner waited on lord Sidmouth with the petition to the Prince Regent, he informed his lordship, that the meeting was to re-assemble on the 2d of December, when your petitioner had engaged to carry his lordship's answer and deliver it to the adjourned meeting, and, that his lordship, so far from advising your petitioner not to go to the said meeting, so far from saying any thing to discourage the said meeting, distinctly told your petitioner, that your petitioner's presence and conduct appeared to his lordship to have prevented great possible mischief. Whence your petitioner humbly conceives, that he is warranted in concluding, that there did, at the time here referred to, exist in his lordship no desire to prevent the said meeting from taking place.

“ Your petitioner, in adverting humbly to the third assertion of your secret committee, begs to be permitted to state, that the persons who went from Spa-Fields to engage in riot on the 2d of December, formed no part of the meeting

called for that day; that these persons came into the fields full two hours before the time of meeting; that they left the fields full an hour before that time; that they did not consist, at the time of leaving the fields, of more than forty or fifty individuals; that they were joined by sailors and others, persons going from witnessing the execution of four men in the Old Bailey; that your petitioner, who had come up from Essex in the morning, met the rioters in Cheapside; that he proceeded directly to the meeting, which he found to be very numerous; that there a resolution was immediately proposed by your petitioner strongly condemning all rioting and violence, which resolution passed with the most unanimous acclamations, that a petition, which has since been signed by upwards of 24 thousand names, and received by the House of Commons, was then passed; and that the meeting though immense as to numbers, finally separated, without the commission of any single act of outrage, or violence. And here your petitioner humbly begs leave to beseech the attention of your honourable House to the very important fact of a third meeting having taken place on the 10th instant, on the same spot, more numerous than either of the former; and that, after having agreed to a petition, which has since been received by your honourable House, the said meeting separated in the most peaceable and orderly manner; which your petitioner trusts is quite sufficient to convince your honourable House that, if as your secret committee reported, designs of riot do still continue to be prosecuted with sanguine hopes of success, these designs can have no connexion whatever with the meetings for retrenchment, relief, and reform held in Spa-Fields.

“ That, as to the pike-heads, your petitioner begs leave to state to your right hon. House, that while he was at the last Spa-Fields meeting, an anonymous letter was put into the hands of your petitioner's servant, who afterwards gave it to your petitioner; that this letter stated that one Bentley, a Smith, of Hart-street Covent Garden, had been employed by a man, in the dress of a game-keeper, to make some spikes to put round a fish pond; that the game-keeper came and took a parcel away and paid for them; that he came soon afterwards and said the things answered very well, and ordered more to

be made; that, in a little while after this the said Bentley was sent for to the Bow-street office, and, after a private examination, was desired to make a pike, or spike, of the same sort, and to carry it to the office, which he did. That your petitioner perceives that the information which it contains may possibly be of the utmost importance in giving a clue to the strict investigation, which he humbly presumes to hope will be instituted by your honourable House into this very interesting matter.

“That as to the fifth assertion, that delegates have assembled in London from Hampden Clubs in the country, your petitioner has first to observe, that these persons never called themselves delegates, and were not called delegates by any body connected with them; that they were, called, and were, “Deputies from petitioning bodies” for parliamentary reform; that your petitioner was one of them, having been deputed by the petitioners at Bristol and Bath; that these deputies met three times, and always in an open room, to which news-paper reporters were admitted; that an account of all their proceedings was published; that they separated at the end of three days, not upon a motion of adjournment, but of absolute dissolution, which motion was made by your petitioner, who is ready to prove that your committee has been imposed upon as to the fact that these delegates, or deputies, are expected to meet again in March.

“That your petitioner is ready to prove at the bar of your right hon. House all the facts and allegations contained in this petition, and that he humbly prays so to be permitted there to prove them accordingly. And your petitioner will ever pray.

HENRY HUNT.”

The petition was ordered to lie on the table.

HABEAS CORPUS SUSPENSION BILL.]
The order of the day being read, for the second reading of the Bill to empower his majesty to secure and detain such persons as his majesty shall suspect are conspiring against his person and government,

Lord *Sidmouth* rose and observed, that whatever differences of opinion might exist as to this and other measures in contemplation, he was confident that no noble lord could have read and reflected upon the report of the committee upon the table

without the deepest regret, calculated as it was to shock every feeling of loyalty to the throne and of affection for the illustrious individual exercising its functions, and to cast a loathsome stigma upon the character and disposition of the country. Twice had a noble earl complained that the report had been presented unaccompanied by any evidence or documents to support it; but he (lord S.) trusted that the House, instead of censuring its committee for neglect of its duty, would applaud the regularity and the prudence of its proceedings. The committee had thought fit to present to the House the conclusions and results at which it had arrived, instead of detailing information, necessarily of a secret nature, and producing documents which would put to hazard the safety of individuals, from whom the important evidence had been obtained. These were motives that the House could not fail to approve; and, actuated by the same feeling, his lordship held it to be incumbent upon him to observe the same restraint. To that evidence, which the committee had declined to furnish, he could not, with any regard to propriety, refer.

There were, however, in the report, three prominent features to which it was fit for him to advert in the first instance, and which merited the particular attention of their lordships. The first was, that no doubt was left in the minds of the committee, “that a traitorous conspiracy had been formed in the metropolis for the purpose of overthrowing, by means of a general insurrection, the established government, laws, and constitution of this kingdom, and of effecting a general plunder and division of property.” In the second place, that the committee are deeply concerned to be compelled, in further execution of their duty, to report their full conviction that designs of this nature have not been confined to the capital, but have been extended, and are still extending widely in many other parts of Great Britain, particularly in some of the most populous and manufacturing districts.” And the third point, inserted at the close of the report, was a declaration that “such a state of things cannot be suffered to continue without hazarding the most imminent and dreadful evils; and although the committee do not presume to anticipate the decision of parliament, as to the particular measures to be adopted in the present emergency, they feel it to be their duty to express their decided opinion that further

provisions are necessary for the preservation of the public peace, and for the protection of interests in which the happiness of every class of the community is deeply and equally involved."

These were the main points adverted to in the report; and it was impossible to read them without the utmost degree of grief and shame, that in this country, distinguished in former periods of its history for its zealous attachment to the laws and constitution, facts, but too indisputable, should have compelled a committee to make such a statement to the House, at a moment, too, when the fidelity and gallantry of the nation had placed it on the loftiest pinnacle of glory and when it had become as well the admiration as the envy of the rest of the world. Was it at such a period that conspiracies to overthrow the government, and to destroy the constitution, were to have been expected? Was it at such a period that parliament could have contemplated being called upon for measures like those this night to be suggested? Unhappily, for a long series of years, but more especially since the commencement of the French revolution, a malignant spirit had been abroad in the country, seeking to ally itself with every cause of national difficulty and distress; it had connected itself even with the dispensations of Providence, and had endeavoured to impute the visitations of God to causes with which they could have no connexion. During the war it had been incessantly busied, not in aggravating our defeats, for we had known none, but in denying our victories, and misrepresenting them as the triumphs of our enemies. On the arrival of peace, its activity had been redoubled; and, while the people were suffering under a heavier pressure of distress than had been felt, perhaps, at any former period, it had employed itself in exaggerating calamity, and fomenting discontent. The purpose of that malignant spirit was, to avail itself of the reduced and burthened state of the country, and to apply it to its own desperate purposes; for evidence had been laid before the committee, by which it unquestionably appeared, that the whole physical strength of the population was to be employed and organized by it, for the destruction of the most sacred establishments. That the distress arose, in a great degree, from unavoidable causes, he apprehended would be denied by few; yet this malignant spirit had represented to the ignorant and credulous, that their

sufferings were to be attributed not merely to the ministers of the day, but to defects in the constitution: the efforts that had been made, and nobly made, to mitigate every cause of complaint, had been treated as worse than nothing, and as increasing the evil they were intended to remedy; and this evil agent, whose deliberate purpose seemed to be to destroy all that was valuable, had at length plainly told the people, that peaceable entreaties were vain, and that by open violence alone could their grievances be redressed.

Some noble lords had complained that prosecutions had not been instituted against the authors, printers, or publishers of these infamous libels; but it was but justice to government to state, that they had not neglected their duty with regard to those publications. As soon as they reached the hands of ministers, they were transmitted to the law officers of the crown, who felt that these publications were drawn up with so much dexterity—the authors had so profited by former lessons of experience, that greater difficulties to conviction presented themselves than at any former time. Ministers had, however, strictly enjoined them to file informations in all cases where a conviction was possible, trusting with confidence to the loyalty and integrity of a British jury. Many prosecutions were now actually pending, the law officers, of whose ability and interest his lordship was fully assured, not being of opinion that any proceeding of the kind could be earlier instituted; the delay had originated in the most conscientious motives. These seditious had been spread over the country with a profusion scarcely credible, and with an industry without example; in the manufacturing districts they had been circulated by every possible contrivance; every town was overflowed by them; in every village they were almost innumerable, and scarcely a cottage had escaped the perseverance of the agents of mischief; hawkers of all kinds had been employed, and the public mind had, in a manner been saturated with the odious poison. Clubs had also been established in every quarter under the ostensible object of parliamentary reform. His lordship would not assert, that some of them had not really this object in view; but he should belie his deliberate conviction if he did not also assert, that a very large proportion of them indeed had parliamentary reform in their mouths, but rebellion and revolution in their hearts.

With respect to the means by which this dreadful purpose was to be effected, the report of the committee said much. Public meetings from time to time had been adjourned until all was ripe for action, and the first disturbance of the peace of the country took place on the 2d of December. On that occasion ministers would have failed in their duty if they had not made preparations adequate to the danger. His object would ever be to employ the civil power, and never to call in the aid of the military but in cases of absolute emergency; but on this occasion the civil power was incompetent to preserve tranquillity; and soldiers were so posted as to be ready on the instant in every part of the metropolis. The consequence was, that the disturbances within the jurisdiction of the lord mayor had been quelled in a few moments by a troop of life-guards which he (lord Sidmouth) had deemed it his indispensable duty to dispatch after the rioters, even without the sanction of the chief magistrate of London. He had directed them to proceed to Skinner-street, and to follow the rioters into all parts of the city: and in one situation a line had been actually drawn up, and some shots were fired, which put a speedy end to the disturbances. The trials of some of the chief actors ensued, and his lordship said, he had not deemed it advisable (and he hoped it never would be thought so) that prosecutions for treason should be instituted but where the clearest case could be made out. He should always prefer proceeding for a minor offence, where it could not be shown decisively that it partook of the nature of a higher enormity.

It had been said by a noble lord (Holland), that ministers were informed at that time of the treasonable purposes of the individuals engaged; in short, that they were acquainted with all the facts contained in the report. The noble lord was in an error; for the particulars of a conspiracy indisputably of a treasonable quality had not been communicated to ministers, and if they had no intelligence the noble lord could not blame them for inactivity. The circumstances that marked the atrocious character and designs of the meeting in Spa-fields did not come to the knowledge of ministers until three weeks before the meeting of parliament, so that no blame could be fairly imputed to them upon that account. The committee had reported that such a state of things could not be suffered to continue

without risking the most imminent and dreadful evils. The report referred, not merely to what had been done, but to proceedings still carried on for the furtherance of treasonable purposes; and that not merely in the metropolis, but in various parts of the country, where the seeds of disaffection were most likely to flourish; and the report stated a decided opinion, that some other measures were necessary to secure the good order and happiness of society. It was therefore for the wisdom of both Houses of Parliament to consider and determine what those other measures should be which were required to protect interests in which all classes were deeply and equally involved. That which prominently forced itself upon the feelings and attention of their lordships was, the imperious necessity of affording protection to the illustrious personage, who, on the day of the meeting of parliament, was not only exposed to insult and indignity, but even his sacred person was attacked and endangered. The House would not have forgotten what had been the proceeding on a similar occasion, when a similar attack had been made on the person of the sovereign: the act of the 36th Geo. 3d. c. 7 was passed to afford to his majesty additional protection; and his lordship would ask, if the dreadful and atrocious conduct recently witnessed did not render it fit that that bill should, by amendment, be made applicable to the Prince Regent?

It appeared before the House, that the enemies of the constitution, in the prosecution of their desperate designs, had made attempts, vain and impotent indeed, to seduce from their duty the soldiers and sailors who had fought our battles and conquered our peace: the legislature had decided by a bill, which expired in August last, that persons guilty of such attempts should forfeit all right to the privileges they were entitled to by birth, and his lordship intended to suggest the revival of that measure.—The clubs existing in all parts of the country formed another evil to be corrected, and to these the 39th of the king, would not apply, unless it could be shown that the clubs were connected together by affiliation: it did not seem, however, under the present circumstances, necessary that that connexion should be established to render the members amenable. The 39th of the king, by a wise provision, had put down the London Corresponding Society, the so-

ciety for Constitutional Information, and some others by name; and although it had been predicted they had never been revived under new titles. It might be proper to adopt the same course with regard to some of the clubs now existing; and more especially with respect to one of them; and if they should endeavour to communicate their infection to the people under a new description, at least the legislature would have given warning by marking the door where the pestilence raged. It was also in the contemplation of ministers to propose the renewal of a measure that had produced many salutary effects in 1795, which had been renewed in 1798, and which had for its object the prevention of seditious meetings.

Having stated thus much, his lordship felt that he should not discharge his duty, and should expose himself to severe self-reproach, if he did not state his conviction that parliament would not perform what it owed to the country if it stopped here. In many parts of the country proceedings were still carried on of a most dangerous nature, and which could not come to the knowledge of ministers but through the medium of persons who could not be brought into a court of justice. On this account yet more effectual provisions were indispensable, since bills to regulate clubs, or prevent seditious meetings, would not reach the most formidable and crying evils of which we had to complain. He was most sincerely grieved to be the instrument, upon this occasion, of proposing a measure, the necessity of which was at all times to be deeply lamented, but more particularly in a period of peace. When we had no foreign enemies, it was the more to be regretted that domestic foes should occasion the suspension of one of the most important privileges of the constitution. Noble lords had much reprobated the communication of extraordinary powers to the servants of the crown; but it was one extraordinary quality of the British constitution, that the powers of the executive government could be enlarged, if by such means that constitution could be better secured. The true question was which was the most dangerous, to give additional strength to the hands of ministers for general protection, or to refuse it, and thereby to hazard every right that was dear and sacred? He required the suspension of the Habeas Corpus act, in pity to the peaceable and loyal

inhabitants of the country: he required it for the protection of the two Houses of parliament, for the maintenance of our liberties, and for the security of the blessings of the constitution. He asked, that this power should be communicated without delay; for though in other measures the House might delay, here procrastination was ruin. To adopt the measure would be a wise precaution—to refuse it a desperate infatuation. To suspend the Habeas Corpus act at the present moment would be to obstruct the commission of the most flagrant crimes, and check the hands of sacrilegious despoilers of the sacred fabric of the constitution. “*Nam cætera maleficia tum persequare, ubi facta sunt: hoc, nisi provideris, ne accidat, ubi evenit, frustra judicia implores.*” Under all the circumstances, it was a great satisfaction to him to inform the House, that it would not be necessary to extend the operation of the bill to Ireland. Some time ago he had proposed a measure for suspending the Habeas Corpus act only in the sister kingdom, and it was the more gratifying for him now to declare, that the disaffected and disloyal in this country did not appear to have made a single convert in Ireland. All he asked of the House at present was, not to exaggerate, but not to under-rate the dangers to which we were exposed, and the difficulties with which we had to contend. It was not merely the lower orders that had united in these conspiracies; individuals of great activity, great resolution, and great energy, were engaged with them, and it became the House to meet their attempts with corresponding spirit, determination, and vigour. Such had been the advice of one of the most gifted and enlightened men that had ever lived, and who seemed, with a prophetic eye, to have foreseen, not only the immediate but the remoter consequences of the French revolution. The noble lord concluded by reading an extract from the commencement of Mr. Burke’s *Reflections*; and then moved, that the bill upon the table be read a second time.

The Marquess Wellesley began by observing, that this was a crisis which at once called for all the fortitude of the people and all the energy of the government. He was ready to allow, that the state of the popular mind was exactly such as had been described by one of the greatest statesmen of any age or country

—he meant, that general distrest had produced general discontent. The statesman to whom he alluded had said, in language quite as good as any quoted by the noble viscount, whether Greek, or Latin, or English, that “the matter of sedition was of two kinds, poverty and discontent:” and of this matter of sedition he was willing to admit that there was an abundant supply; though, as to the sedition itself, he did not think the proof was so evident. Let it, however, be made to appear, that the country was not merely in a state of discontent, but also in a state of danger; let any man prove that the machinations of the evil-disposed would produce the hazard of ruin to the general constitution; let a satisfactory allegation of necessity be made out for the adoption of extraordinary measures; and he would ask, where was the man who, under such circumstances, would not say that even a great evil ought to be sustained in order to prevent a greater? The wisest patriots had ever felt, that true liberty has its basis in public order—*pax est tranquilla libertas*. The most arduous struggles for independance, the most furious civil wars, all concluded in establishing this maxim—that whatever was inconsistent with the tranquillity of a state could not be consistent with liberty. But although that principle was true, it was not on every allegation of public disturbance, it was not on every ebullition, even of a treasonable tendency, even though the branches of that treason spread far and deep, that the parliament should be called upon to alter the existing laws of the land, or suspend for a moment the great bulwarks of the constitution. There should be before them a plain distinct case, founded on powerful and irresistible evidence, in order that parliament should be justified in doing that, which, in ordinary circumstances, would be a direct infringement of the public freedom. He would go farther and contend, that unless the ministers of the crown could prove unquestionably that treason, if it exists, cannot be restrained by the ordinary course of law, they are not warranted in demanding the extension of extraordinary powers.

There remained but one other preliminary point, in respect of which every thing like delusion must be dispelled; but the whole elucidation he feared, would require greater efforts than, under the state of his health, he was enabled to afford. It was, however, so imperative to

the just consideration of the present question, that he would endeavour to explain fully the impression of his mind. The noble secretary of state had dwelt long on the precedents of 1795 and 1801. In the former period he had the opportunity of being acquainted distinctly with the circumstances; of the latter he could only speak from report. But this he would contend, that though it could be shown distinctly that the conspiracy of this day was alike in general character to that of 1795—though the overt acts were of the same complexion and betrayed a similar object, still, unless it was also shown that the condition of the country in its relations foreign and domestic were similar—that the causes of the mischiefs were the same, the reasoning in favour of similar measures of government to be exercised now as formerly, was, in his mind, wholly inconclusive. It was therefore necessary to view closely the character of the present times, and in reference to that character, to inquire whether the remedies proposed corresponded with that character.

Proceeding, therefore, to the grand and prominent part of the question, namely, the comparison of the present day with the period of 1795, the leading and undeniable distinction was, that in 1795 all the mischiefs against which the enlargement of the powers of the crown went to provide, mainly sprung from the French revolution; from France the dangers were apprehended, and to the machinations of agents from that country the extraordinary energy of the government was directed. There might have been manifested some partial inclination to public disturbances during two years of scarcity; but in the enactments of that period, they were never contemplated. The principles of the French revolution, and those alone, were the great fountain and origin of the system then pursued. This consideration led to topics that he felt could not be disagreeable to the self-complacency of the noble lords opposite. What, he would ask, then, were the grand principles of our modern policy, when our army in Spain was engaged in its succession of triumphs—when the nations of the continent, in imitation of our example, were resolved to make a determined struggle for their independance? It was this—that we had actually extinguished the spirit of Jacobinism—that whatever original differences might have existed as to

the justice of the war, the universal feeling of England and of Europe was, that the war in its progress had assumed a new complexion—that the aggressions of the military government of France had made it a war for liberty, for justice, for the rights of nations. That the experience the people of Europe had felt of the tendency and result of the principles of the revolution—of the sanguinary excesses in which they terminated, and the tremendous despotism by which they were succeeded, had at length recalled the people of the continent to sounder views and made them feel, that they, the people, had also, with their sovereigns, whom they had before deserted, a common right in legitimate government and public order. In one word, that our successes had completely extinguished Jacobinism for ever. But then came the peace—that settlement of Europe as it was called—a peace never equalled in the production of more cruel wrongs—a settlement that has directly, and with every disregard of justice, laid prostrate every principle that heretofore characterised the law of nations that transferred nations without regard to sympathy or interests—that tied people together, not even connected by the most remote affection—that outraged all those principles and declarations on which the powers of Europe professed to act. When these things happened, then it was that the subdued spirit, that had so long desolated the earth, again arose—then it was that Jacobinism spoke again, and had something to speak at, and hydra-headed resumed its pristine strength. Were there no other circumstances that tended to give life and strength to its exertions? We were told on a former occasion by the noble lord that by the ordinances of Providence war was favourable to certain pursuits of commerce. The converse of that proposition went to prove, that under the Christian dispensation, peace must be destructive in the proportion as war was beneficial to our trade. Yet had England no claims upon the nations of Europe? Could she not have said, after the glorious successes of the war, when she had in her hands the means of securing her demands—“We have purchased for your governments, existence—for your people, independence. It was British means that rescued you—it was British arms secured your release. Our resources arise from our commercial prosperity—it was that prosperity restored

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your strength and supplied your treasury with subsidies; and now, before those great benefits are ratified, we demand that commercial preference and intercourse, the resources of which have been so available to your own security, and on which the means of our own resuscitation after such sacrifices depend.” The minister that omitted such demands, and such an opportunity, had to answer in no light degree for the aggravated distresses of his country. The result has been general discontent. The people, recollecting all the efforts they had made, and aware of the sources from whence these efforts flowed, have looked with astonishment and indignation at an arrangement in which no one stipulation in favour of British prosperity was guaranteed. No other commerce has followed this settlement of Europe, save the African slave trade.

Thus, from the foreign policy that characterized the peace—from the positive injustice that the neglect of all demands for our commercial advantage entailed on this country, Jacobinism was again enabled to raise its front, and speculate with its inveterate hopes on the increasing distress and sufferings of the people. To these sources of discontent other circumstances might be added, flowing from accidental causes, but which could not be attributed in the way of crimination to his majesty’s government. Under this state of affairs, disaffection, to what extent, in the want of all information, he could not take upon himself to assert, had taken a turn that it was almost natural to anticipate. But he must be allowed to ask, how came it, that ministers, when they had ascertained the existence and extent of this presumed traitorous conspiracy in the metropolis—when they were aware, as they now profess, that the existing provisions of the law were incompetent to control it, did not at once resort to decided measures to put it down. What was the obvious remedy? To have had recourse to parliament: first, because parliament was the legitimate place, where the delusions progressively gaining an influence on a large description of the population could be fully canvassed and dispelled: secondly, because it was there, if disaffection was increasing, and treason in progress, the additional strength, if required, could be alone and seasonably supplied. But the noble secretary of state had assured the House, that it was

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not until within three weeks of the meeting of parliament, that his majesty's government were apprized of the atrocious character of the conspiracy. What did their lordships committee in their report communicate? It asserted that the first overt act of this traitorous conspiracy took place at the first meeting in Spa-fields on the 15th of Nov.—that the most inflammatory and seditious language was there indulged—that the grossest attempts to vilify the most venerable institutions of the country were at that meeting carried into practice—that tri-colored cockades and revolutionary symbols were without any disguise triumphantly displayed—and yet from that meeting, thus conducted and thus described by the committee's report, his majesty's secretary of state for the home department received and acknowledged a deputation—was in the habit of correspondence with its principal agitator, whom, it was learned from the petition of that night, he received with all that courtesy for which the noble viscount was distinguished, and with his hand upon his heart [Hear, hear!]. Next came the second meeting on the 2d of December, where again appeared the same agitator opening the proceedings, almost, as if the assembly were convoked in the name and behalf of the noble secretary for the home department, with a correspondence, which he stated, he was authorized by the noble secretary of state to communicate [Hear, hear!]. That night, however, the noble secretary, in recounting the splendid triumphs he had gained in Skinner's-alley or Skinner's-street on the very 2d of Dec., had taken great credit for the bold manœuvre by which the advanced division of these conspirators, headed by a drunken surgeon and a shoemaker, was signally defeated in the early part of the campaign under the auspices of field marshal lord viscount Sidmouth [Hear, hear! and a laugh].

But in viewing this question seriously, the parliament had a right to know from his majesty's government, why they hazarded, by their previous conduct, these unjustifiable outrages on the public tranquillity. Why did they not apply to the evil, growing, as it was, under their eyes, the sure and early and constitutional corrective? Why did they not assemble the two Houses of Parliament? It was to be kept steadily in the recollection of the House, that they not only did not assemble the Parliament, but with their know-

ledge of the state of the public mind, with their acquaintance of the general complaints of the nation, in full possession of all that transpired at Spa-fields on the 2d of December, a meeting, now described as the first overt act of treason, they actually on the 25th of the previous month prorogued it. By the act of prorogation in such an exigency, they, the ministers of the crown, gave their authoritative sanction to all the calumniating delusions, so perversely circulated against the character of parliament—they became parties to all the misrepresentations of those Spa-fields meetings—they declared in effect to the country, that those who traduced its services, were correct—that the king's government considered it but as a useless engine or only to be convoked for the purposes of the minister. Instead of recurring to the uniform practice of consulting the constitutional organs of the nation, in a crisis of confusion and embarrassment, they almost went out of their way to bar the doors of both Houses.

The report of the committee, in advertising to the late atrocious attempt on the illustrious personage in the exercise of the royal authority—dear, as he must ever be to those who know his personal qualities, and revered by all who feel the monarchy to be inseparable from the constitution, justly states it as a part of the same conspiracy. They infer it, however, as a matter of reasoning. Why, then, were precautions wholly overlooked until the outrage was perpetrated? Could any other result be expected when the ministers of the crown allowed discontents and sedition to grow under their view, indeed, in corresponding with it unchecked, but that such proceedings would terminate in that detestable outrage that at length had occurred? That, continued the noble marquis, would lead him to the opinion he wished to express upon the subject of the propositions brought forward by the noble secretary. He had no hesitation in avowing, that the atrocious outrage committed upon the person of the Prince Regent, when returning from parliament, would alone justify ministers in taking every requisite measure for the future security of his royal person. He had heard (he knew not how correctly), that certain doubts existed whether the provisions of the act which was passed for securing the person of his majesty, could, in the strict construction of the law, apply to the Prince Regent. For his own part, he

thought they could not; and if they could not, what should be thought of the supineness of ministers, who, from the day when his royal highness assumed the functions of sovereignty, down to the present moment, had never even attempted to give him the same protection as his majesty enjoyed. There was hurry, indeed, in arresting suspected persons; there was hurry in suspending one of the palladia of our constitution; while a grave and serious omission in their duty had been continued from year to year. He perceived a noble earl smile at what he said. He could tell that noble earl he valued not his scoff: he repeated, that it was a most serious consideration; if the noble earl could answer him by argument, he should be happy to hear him; if not, let him repress his insult [Cries of Order, order!].

The Earl of *Aberdeen* observed, that he did not smile at what the noble marquess had said; at the same time, if any thing which that noble marquess might utter should seem to him to deserve it, he would not manage his smiles from any respect to such feelings as the noble marquess had evinced.

The Marquis *Wellesley* in continuation, insisted that he must think the omission demanded a very serious consideration. With regard to the other points, the bill for regulating public meetings, he did not think it likely he should offer any opposition to it. He considered that bill essential, not only to the public security and the tranquillity of the country, but essential to the liberties of the people. Such meetings, he firmly believed, had been abused in a manner most hostile to the liberties of the subject; and it would be well for his majesty's ministers to consider, whether, it might not be expedient to prevent those meetings from assuming a shape of constitutional authority, which they would assume, if by adjournments and prorogations, they were allowed to hold their sittings indefinitely, and, as it were, menace the legislature. He thought, also, that other provisions of a very salutary character, might be introduced into the bill. But although agreeing so far, he must confess that the specific proposition, which the noble lord had submitted that night, was one in every respect ill adapted for the case and ill adapted to the temper and condition of the nation. He objected to it, because it put into the hands of unskilful power, the personal liberty of every man in the country.

He knew, that if a person was unjustly imprisoned, he might have his redress by an action at law; but what redress was that to a man who might perhaps be doomed to linger in a prison for years? Besides, he knew also, there were such things as bills of indemnity; they had been passed on former occasions; they might be passed again; and was it not a lamentable consideration, that the subjects of this realm should be placed in such a condition, that their personal freedom, their birth-right secured to them by Magna Charta should depend upon the remedy of an action at law, after sustaining an unjust imprisonment? In former times, when such a violent measure was resorted to, the country was in a state either of actual war, of actual rebellion, or of both. In 1795 we were not only in actual war, but the state of Ireland was dreadful to contemplate. In 1798 and in 1801, the Habeas Corpus act was again suspended, and at both those periods we were at war with France, and rebellion prevailed in Ireland. He did not know whether their lordships would concur in his opinion, but he considered the circumstances of a war with France, and a rebellion in Ireland, as greatly aggravating our danger at those periods. Would the noble lords say that their "glorious" peace had now reduced England to a condition of equal peril and alarm? The noble viscount had said that Ireland was now perfectly quiet. It might be so, but he remembered the answer which a facetious friend always gave upon his arrival in London, when asked respecting the tranquillity of Ireland, "Oh! yes," said he, "they are as quiet as gunpowder there" [a laugh].

Such he apprehended, was the present quiet state of that country. But with respect to England, it was affected that she was now reduced, by various causes, to a condition little better than that of Ireland in the worst times. In that state of discontent, however, which had not sprung merely from the machinations of seditious persons, but from totally different causes, did not their lordships perceive a marked distinction, as contrasted with former periods of trouble and danger? Hence whatever remedies it might be deemed expedient to employ, they should at least be adapted to present circumstances. They should be framed with a view to the effect they would produce upon the temper and condition of the country; a temper and condition which

should be treated with the greatest delicacy, with the nicest hand, so as not to outrage in the smallest degree the feelings of the people.

After the most deliberate consideration that he could give to the whole subject, he must conscientiously declare, that up to the moment he was then speaking, he had not seen such evidence as convinced him the danger was so alarming as had been represented. Great discontent undoubtedly existed; seditious practices evidently prevailed; yet he was not satisfied they existed in that shape, form, and character which justified the suspension of the Habeas Corpus; and being unconvinced (although ready to concur in all the other measures proposed, and perhaps, when those bills were introduced, he should suggest extending their operation), he was not prepared to go so far as to place the personal liberties of the subject at the discretion of ministers, under the pretext of maintaining public security. There was an observation attributed to an illustrious statesman, the late lord Mansfield, and which if not his, was worthy of falling from him, which he would recommend to the attention of the noble lords opposite. That distinguished person alluding to the great sages and heroes who had achieved the Revolution, and who afterwards applied for a bill of indemnity, observed, that so well did they love the constitution they had saved, they would not suffer the act by which it was saved to have even the appearance of giving it a wound.

He had only a few words more to add. He trusted in God, that while passing, as they ought to pass, some regulations to restrain seditious practices, they would not forget another piece of advice, given by that able statesman lord Bacon. His counsel was, that if you would really remove sedition and trouble, you must remove the matter of sedition. And what did he call the matter of sedition? Much poverty and much discontent. How would he remove them? By applying every energy of the state to the reduction of charges, which would lead to the reduction of tributes. Whatever they might do, therefore, the true remedy for our present danger was to apply themselves vigorously, steadfastly, and determinedly, to the great work of diminishing the national expenditure; and not fortify the persuasion, vainly felt, he hoped, that all those propositions, all those rumours of peril, were merely meant to divert the

attention of parliament from the duty of retrenchment and economy, which it had to perform. If that course were adopted, he was satisfied those emotions of loyalty, that attachment to order, that firm determination to uphold the constitution, would continue to prevail, which were the only basis upon which true British liberty had ever existed.

The Earl of *Liverpool* allowed that it was perfectly just in the noble marquess who had last spoken, to consider, in one comprehensive point of view, all the circumstances which had apparently led to that situation of the country, which made the present regulations necessary; but, at the same time, he could not help observing, that some of the topics touched upon by the noble marquess had just as much to do with the particular topic then before their lordships, as with any that was ever discussed in parliament. Without following the noble marquess, therefore, through all his arguments, he should endeavour to reply to those which more immediately belonged to the question of that evening. Their lordships were aware, that some years ago (1812), the manufacturing parts of the country were in a distressed and dangerous state, in consequence of which certain papers were laid before both Houses of Parliament. Those papers were referred to a secret committee, and upon the report of that committee some new laws were framed to meet the evil; but it never was in the contemplation of government to adopt any measures similar to the present, because it was the firm conviction of that committee, that political opinions were not the foundation of the evils that then existed. There might, indeed, have been some remote connexion, but it was so remote as not to call for the kind of proceeding which it was now proposed to adopt. He would take another instance in which, though much mischief was meditated, yet it had not been thought necessary to pursue the present course. When a noble friend of his was at the head of the treasury, a most wicked and diabolical conspiracy was formed against the life of the king, by colonel Despard. That conspiracy was foiled, however, and the chief mover in it, with some of his associates, taken up, tried, condemned and executed. But, upon the discovery of it, neither his noble friend, nor the other members of government, thought that they ought to bring in a bill for the suspension of the Habeas Corpus act. Why?

Because, though the conspiracy in itself was as malignant and horrible a one as ever entered the head of man, yet, it was entirely an insulated transaction, and the moment the conspirators were arrested, they considered the whole affair at an end.

He had mentioned those cases to prove that ministers did not, on all occasions, though there might be danger, deem it expedient to recommend the adoption of such measures as were now proposed. The noble marquess however, had said, show us a case equal to that of 1794, when the liberties of the country were suspended. He was aware, that in the history of the world, no two cases of political necessity could be produced exactly alike. The noble marquess seemed to think, that a necessity like that which existed in 1794 was the only one that could justify such an extreme proceeding; but if he looked back to other periods, he would find precedents established, when parliament, in its wisdom, sanctioned measures analogous to the present, though the country was menaced neither by a foreign nor an internal war; and he contended, that though the present situation of these realms was not precisely the same as in 1794, yet it was such as imperiously demanded the precautionary system now recommended.

The noble marquess affirmed, that the distresses and discontent under which we laboured, were attributable to the peace of 1814 and 1815. He denied the truth of that allegation. When the different articles of that peace were before their lordships, he stated the grounds upon which they had been concluded, and he was prepared now to meet any objections which could be made to them. He believed, however, it had never before entered into the mind of any one (though he knew it had been made an engine to inflame the discontented, by those who professed not to dislike the peace, but the war, and all the great efforts of the last twenty years) to seek for the cause of our present difficulties and distresses, in a peace concluded under more glorious circumstances, and leaving, he contended, more political happiness and liberty to other countries, than any former peace that was ever concluded [Hear, hear!].

The real causes of the distress would open too wide a field of discussion, if he were to attempt to argue them; by some, they were considered as belonging to a transition from a state of war to a state

of peace; by others, they were referred to our paper currency; and by others, to the great extent of taxation. But he must own, of all causes that could be assigned, the last he expected to hear, was the peace of 1814 and 1815. The noble marquess had strongly alluded to what he considered as the obstruction experienced by our commerce and manufactures? He (lord L.) was ready to join issue with the noble marquess upon that subject, and to deny the assumption entirely. So far from the fact being as stated by the noble marquess, our trade and manufactures were never so extensive as during the two first years of peace; what he said was not merely matter of assertion, but proved by documents on their lordships table. Our trade and manufacture, since the peace, were greater than on any former occasion; and the real cause of the present depression was the immense exportation that had taken place, and the consequent glut of the foreign markets. In fact, the origin of our distresses was to be traced to a cause totally different from our foreign trade; it was to be traced to the distress of our agricultural interest, which had no connexion whatever with our foreign trade. The fall in the value of agricultural produce, and the effect which that had upon our internal trade and manufactures, was the main spring and source of our difficulties? As to the restrictive measures adopted by other countries with respect to our manufactures, before we condemned that policy in our neighbours we ought to look at home? Had we imposed no restrictions upon the produce of foreign states imported into our harbours? We certainly carried the system as far as any other nation, and ought not, therefore, to be the first to complain.

The next topic adverted to by the noble marquess was, the meeting of parliament, and he asked why it was not earlier assembled, when ministers must have known the dangers and difficulties of the country? It did not follow, however, that because there were clubs of a dangerous nature, because there were meetings of a dangerous nature, because there were publications of a dangerous nature, therefore there were within the knowledge of government distinct proofs of a conspiracy, upon which they might proceed capitally, in a court of justice, against the conspirators, or with which they could come down to parliament. In fact it was not till within three weeks of the actual meeting

of parliament, that they were in full possession of that knowledge; and it was still later before they could produce it in that shape of complete evidence as it now appeared in their reports. It might be imagined, indeed, from the language of the noble marquess, that parliament had been prorogued to some unusual season of the year, or to some period particularly inconvenient. He did not mean to say, that under extraordinary circumstances it might not have been prudent to assemble parliament earlier; but he believed the time at which it was generally summoned, namely, after Christmas, was found by the members of both Houses, to be the most convenient. The whole circumstances of the case, in fact, had been gradually growing and developing themselves. Even since the period when the committee began to sit, some new and most important information had been acquired. If, therefore, ministers had decided wrong, it was not from want of due deliberation, but from an erroneous judgment formed upon the fullest and most mature consideration. It was his decided opinion, however, that more danger would have resulted from calling parliament together earlier, and thus withdrawing gentlemen from their country residences, than good. He knew, indeed, at that instant, some most respectable individuals, members of both Houses, who implored that they might not be required to quit their seats in the country, as it was of the utmost importance, that they should continue among their tenants under existing circumstances; any one who knew the state of the country at present, and reflected upon the sort of influence which the presence of the nobility and gentry exercised, especially at that season of the year which had just elapsed, when the kind hospitable intercourse of Christmas subsisted between them and the peasantry, would allow that if ever there was a time when it was justifiable upon those grounds not to assemble parliament earlier, it was the present.

He should now proceed to touch upon the question more immediately before their lordships. He agreed with what had fallen from a noble lord, that the act of Habeas Corpus was not to be considered merely as an act of Charles 2d (though the conditions were then rendered more perfect), but as a part of the ancient law and constitution of this kingdom. It should be remembered, however, that laws though provided with the most unerring

wisdom and sagacity, would not always be applicable to the circumstances of a country. Where a government was established, it must proceed upon one of two principles; either to frame it in concert with permanent and immutable laws, or in connexion with laws that might be altered and modified according to particular exigencies? The former system, he apprehended, would not be very conducive to the happiness of mankind; on the other hand, if as much liberty were granted to the subject as could be conceded consistently with the safety of the state; there must be a power somewhere competent to the temporary suspension of that liberty, when such a measure becomes necessary for the protection of it ultimately. He might refer to the practice of the best times of our history, in support of that doctrine. Even in the very year of the Revolution, it was found necessary to suspend, for a time, the act in question. The real point therefore to consider was, whether a sufficient cause existed now for its suspension; and it should be remembered, that it had been suspended in times of peace as well as in times of war. Domestic treason, indeed, might assume a character quite as desperate as foreign treason; nay, there might be circumstances attending the internal state of the country during a period of war, which would afford a security against sedition and rebellion which could not be enjoyed in peace. On the present occasion, they had the fullest proof (if they believed the report) of a treasonable conspiracy in the metropolis, to overturn, by a general insurrection, the laws, the government, and the constitution of the kingdom. It was also, a matter of perfect notoriety, that the same system was spread over a great part of the country. There was a double engine at work; the operation of the one, was evidently aiming at what every person must agree would overthrow the constitution; the operation of the other (he alluded to the Spenceans) was calculated to produce a complete convulsion in the elements which composed the system of social life.

Was it too much, then, to contend, under such circumstances, that it was fitting and expedient to resort to that course which our ancestors had pursued when alarming dangers menaced the state? Let any person read the publications which had been put forth, during some time, of the most seditious, the most licentious and

the most blasphemous nature, and let them say, whether in the most dangerous periods that had been alluded to, any thing equal to them was then issued? In 1794, the danger of the country was great; but the danger of the present moment exhibited features of a more desperate and malignant character. Never was there a more determined and avowed design to sap all the foundations of morals and religion, and more assiduity in the prosecution of that design. The conspirators of the present day had learned a lesson from the conspirators of the former, and they proceeded with more caution and management in their nefarious schemes. He would go further, and state, from information which he knew to be authentic, that in some parts of the country, the caution and secrecy of the conspirators were so great, that even though it was known conspiracies did exist, yet the nature of the evidence that could be procured was such as would not be sufficient to send them into a court of justice. With so much circumspection and cunning did they conduct their plans. He felt all the importance of the measure that was now proposed: but he would not allow any imputations that might be insinuated to preclude him from discharging what he conscientiously believed to be his duty. His only object was, to support the throne, to support the constitution and to protect the peace, the happiness, and the confidence of every private man in the kingdom; his only view was, to preserve our morals, our religion, our establishments, and to secure to every man the tranquil enjoyment of his fireside. He asked of parliament to entrust the Prince Regent's ministers with that power for a short time—a most odious one, he agreed—and one which ought not to be confided to any man, or to any set of men, except in cases of the last necessity, except in such cases as, he apprehended, now justified him in calling for it [Hear, hear!].

Earl Grey said, that at an earlier hour he might have been tempted to enter into all the circumstances of this most important question; but now it was utterly out of his power to acquit himself satisfactorily, even according to his humble abilities, in defending the cause of the people of England against the most unnecessary and most uncalled for attack upon their liberties which any minister of the crown, in any period of our history, had ever attempted. Though he thought his noble

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friend had strictly confined himself to the question then before their lordships, in the view which he had taken of the effects produced by the late peace, it was not his intension to follow the noble earl much at large in that part of his speech, which was to be considered as a reply to his noble friend. He must, however, contend, that in his belief a very considerable portion of the dissatisfaction and discontent which pervaded the more rational and thinking part of the community, was the result of that peace; and he should be sorry to think otherwise. He should be sorry to think that Englishmen, enjoying all the blessings of a free constitution themselves, had no sympathy for the rest of mankind to whom these blessings were denied; he should be sorry to think that the cause of liberty, whenever pleaded, was a cause foreign to the hearts of Englishmen; he should be sorry if Englishmen could coldly and passively behold other nations subjugated by military force, especially when they reflected that those evils emanated, in a great degree, from our own government.

The noble earl had talked of the glory with which the war was concluded, and the liberty and happiness which the peace had conferred upon Europe. In proportion to the glory of the war, which he was far from denying, the character of the peace was so much the more disgraceful. Where were they to seek for that liberty, and that independence, of which the noble earl boasted? Was it to Genoa they were to look for the due regard that had been paid to the rights of an independent state? Was it in Lombardy they would find that happiness and comfort which the peace was asserted to have produced? Was it in Venice, now blotted out of the map of independent nations in Europe, and consigned to a power which he would not describe? Was it in Saxony, whose troops, deserting their sovereign, placed themselves in the ranks of our own armies, to fight for the common cause, whose whole population united to assert the rights we asserted—was it to that devoted country we must look for the verification of the noble earl's assertion? But the noble earl contended also, that the interests of our commerce and manufactures had not been neglected in the negotiation of a peace. If the noble earl was really of that opinion, let him go to the Exchange, and ask what benefits were secured to this country, in return

for the sacrifices we had made for the whole of Europe, and hear the answer he would receive. He was ready to admit, indeed, that one great cause of our difficulties was the depression of our agriculture, but did not the state of the foreign market also contribute to them? The noble earl had indulged in a curious argument upon that subject. After maintaining that our commerce during the last two years had been as great, if not greater, than at any former period, he arrived at the unexpected conclusion, that the foreign markets were now glutted, and hence the stagnation of our manufactures at home. Whence did that glut arise? Was it not true that every power on the continent had manifested the greatest jealousy of our commercial system? Had they not imposed restrictive regulations, in a spirit scarcely less vindictive than that which produced the Berlin and Milan decrees? He contended, that with so many opportunities, with so many claims upon the friendly dispositions of the continental powers, his majesty's ministers had not entered fairly into those arrangements; they had neglected the interests of the country in that respect, and to that neglect the present embarrassments and distress were in some degree attributable.

The noble earl had endeavoured to justify the not calling parliament together earlier; and he begged their lordships attention to his arguments. What! said the noble earl, would you have us summon parliament before we had sufficient evidence to require coercive measures? Were coercive laws, then, he would ask, were penal statutes, the only duties which parliament had to perform? He should have thought it might have found other duties. He should have imagined that its most natural and beneficial duties would have been to conciliate the nation, by showing a disposition to do all in its power for relieving the existing distress; by listening attentively to the complaints of the people, when they referred to proper objects; and by an early adoption of that systematic and comprehensive retrenchment, which could alone provide a substantial remedy for the present difficulties. Those, he conceived, were the first duties of parliament, and the performance of them was infinitely more important than any advantage that could accrue from leaving the members of that or the other House, at their country seats a few weeks

longer. Not that he meant to insinuate that under certain circumstances, it would not be desirable to attend to such a suggestion; but, on the present occasion, the comparison of advantages and disadvantages appeared to him against its application.

The noble earl, however, had certainly put the question then before their lordships, upon its true ground. A free government could not constantly possess those powers, which it might be necessary to grant in extraordinary emergencies. If they had it at all times, it would be found too strong for freedom; while, on the other hand, if they were without it, in cases of extreme urgency and danger, there would be no safety for the throne, the constitution, or the country. He was ready to admit also, that in the best periods of our history there were instances, when the principles of our constitution sanctioned the temporary suspension of it; but then it was under circumstances of undeniable danger, and the wisdom of granting such a power, at such a time, was proved even by their lordships being assembled that night to deliberate freely upon the present question. He was entitled therefore to ask, was the danger now so great, so urgent, as to require the application of this law, and was it of such a nature that it could not be repelled without it? Upon that ground he was willing to argue the point. The noble earl had said, that "even in the very year of the Revolution (uttering the word even" with an emphasis that clearly indicated his triumph at the discovery) the law of Habeas Corpus was suspended. He certainly could not deny the fact, but he wholly differed from the noble earl in his inference, that suspension was permitted at a time of unquestionable danger and difficulty, when the crown was unsettled, when the sovereign was newly seated on his throne, when his claim was not generally recognised, when his enemies were daring and active, and when the exiled family was fomenting cabals and stirring up enterprises for the recovery of their lost dominion. Such a period was, of all others, the one most likely to be fertile in conspiracies and plots; but even then, our ancestors, jealous of their freedom, would not consent to part with it for more than a month at a time. What comparison, however, was there between those dangers and the present?

But if precedents were to be resorted to,

let their lordships look a little further. In 1695, when the life of king William was threatened by foreign emissaries and domestic traitors, when there was an avowed plot to assassinate him, and when the country was menaced with invasion, in that very year, in the midst of all those dangers, our ancestors passed the celebrated statute for regulating trials of high treason, securing to persons accused of that enormous crime, every facility of defence, and which now formed the brightest page of our legislative code. He wished, therefore, when precedents were quoted, in justification of the present measure, that the spirit which animated our ancestors should be followed throughout, and not imagine that every thing was done when the power of government was secured, without remembering that the people also had an interest in the preservation of their own liberties and freedom. The instance he had alluded to was the first, and with one exception the only time, in which the law of Habeas Corpus had been suspended, without the existence of foreign war or domestic rebellion. In 1715 there was a rebellion; in 1745 there was a rebellion; in 1794, in 1798, and in 1801, there was a war with France and a rebellion in Ireland. The single exception to which he had referred was in 1722, when a plot was discovered against the sovereign, connected with the schemes of the Pretender, who modestly offered George 1st permission to retire to his German dominions with the title of king, and abetted by some of the first persons in this country. Some of the conspirators belonged to that House, and many of them were actually seized and imprisoned; the first duke of the realm was sent to the Tower upon suspicion; and it appeared that many foreign officers were engaged to take the command of the troops. Was that a danger like the present? He apprehended no one would venture to compare the two cases. Yet, under such circumstances, even the proposition for suspending the Habeas Corpus was thoroughly resisted, and in the House of Commons the minority was 193 to 246.* At that time, too, it should be recollected that the Crown had an army which did not exceed 20,000 men, while now we had a standing army, for Great Britain alone, of four times that amount. Nor was that the only difference. There was

a pretender to the crown, who still retained numerous and powerful adherents. Now both kingdoms were under the sway of an undisputed and legitimate succession. Besides, what was the influence of the crown, compared then with its present influence? Fortified and entrenched, therefore, as they were, to the very teeth, by that influence, and by a large military force, he would ask, had they no other securities still? Let them look at their laws. There were enactments which restrained the liberties of the press—which regulated popular meetings—which punished illegal oaths—and yet they came to ask for a suspension of the Habeas Corpus [Hear, hear !].

He did not wish to under-rate the danger that might exist; he could have no interest in doing so. Whatever of rank or of property he possessed, he was anxious, like every other man, to transmit unimpaired to his children; and if the schemes mentioned in the report of their lordships committee were capable of being carried into effect, he could not be so foolish as not to know, that he must be among its victims. Whatever, therefore, he might do or say in resisting the present motion, could only be from what he considered his paramount duty. In the first place then, he contended that any conspiracy attended with an utter improbability of success, as the present was allowed to be, was not a case that called for a suspension of the Habeas Corpus. What was the nature and character of this conspiracy? They knew the chief actors in it; for the report distinctly stated, that they were the persons who attempted to excite an insurrection on the 2nd December. Who were they? Persons of great consequence and connexions in the country, whose co-operation gave a formidable character to the attempt? No. They were miserable wretches reduced to the lowest poverty and distress, who would probably have been driven to seek relief upon the highway, if there had not been a prospect that the discontents of the country were such as might prompt many to follow their wild schemes. What was their object? To produce insurrection, by calling persons together under the pretence of seeking parliamentary reform, without any previous concert and design, and trusting wholly to chance for the means of stimulating their instruments in the work of sedition. That was the whole extent of the plot; and the attempt was made in the

* See New Parliamentary History, Vol. 8, p. 41.

way that was projected. The mob assembled at Spa-fields; they were addressed in inflammatory language; to be sure, they were provided with ammunition, having about twenty or thirty balls and a pound of gunpowder concealed in the foot of an old stocking. They were not followed by more than two or three hundred persons, who plundered a few gun-smiths shops, and a gentleman received a wound, from which he sincerely hoped he would recover. Such excesses ought, undoubtedly, to be repressed and punished, but in order to do so, was it necessary to suspend the Habeas Corpus? Those formidable rioters fled even at the very mention of a dragoon; they did not wait to see their horses heads at the top of a street, so admirable were the military arrangements of that able commander, general lord viscount Sidmouth [a laugh].

The noble earl then took a review of the different societies designated in the report, and the circulation of seditious and blasphemous publications, as there described, observing that there were acts of parliament, chiefly of modern date, under which all these offences might be prosecuted and punished. With regard to the statute to which he had before alluded, respecting societies having secret committees and secret correspondence, he had read the act that morning, and he thought it as strong as it could be made against societies of the description mentioned in the report. With respect to what they had heard of profane parodies upon the church service, there was little that could be called new in them, however reprehensible. They must all be aware that at a former period a parody upon the Litany was written, even by a dignitary of the church, which had never been selected as any object of marked reprobation. As to the blasphemy that there might be in these modern productions, were there not laws to punish it? were there not equally laws to punish sedition? The members of societies, associated for the purposes of unlawful combinations, might, as he had already stated, be punished under statutory enactments. With all these provisions, therefore, already in existence, surely it ought to be distinctly proved that they were insufficient to meet the evil, before new and extraordinary enactments were resorted to. It was not because they happened to have an incapable attorney-general, or a negligent and inattentive secretary of state, that the liberties of the people were to be suspended,

nor were ministers to call upon that House to repair the consequences of their own *laches*, by enacting laws oppressive upon the community. Would it not have been a much wiser policy in the ministers of the crown to have resorted only to those measures which were strictly called for by existing circumstances, and which would have met with an unanimous support? How much would this have added to the real strength of the government; how much would it have tended to keep down the spirit of discontent. Much of that spirit arose from the extreme pressure of distress, and surely it was of no small importance to satisfy the people that nothing more was wished to be done than what was actually necessary for the security of the state, and the welfare of the community. He, for one, would have consented to a new law for preventing meetings in the open air without a previous notice to a magistrate, signed by seven respectable householders, and for preventing them from adjourning such meetings from time to time, with a sort of menacing expectation, as his noble friend had happily expressed it, of the proceedings of parliament, or he would have consented to a measure for preventing such meetings within a certain distance from the two Houses during the meeting of parliament. He would have agreed to such a measure, because he conceived such meetings called by unauthorized individuals, as productive of great evil, in the spirit to which they gave birth, and the riot and turbulence they tended to produce. He would also have most willingly and cheerfully consented to a bill for the better security of the person of the Prince Regent. These two measures would, he conceived together with the existing laws, have been amply sufficient to meet all the evils of the sedition or the traitorous conspiracy dwelt upon in the report. Had these measures only been resorted to, the unanimity of parliament would have been secured in their support—an advantage unquestionably of the greatest magnitude, for would it not tend rather to increase the discontent, when it was found that the measures proposed by the government, met with opposition in parliament, on the express ground that they unnecessarily infringed upon the liberties of the people. What was, in fact, the danger? Was it not clearly proved, that whatever was the spirit that existed, or the projects entertained, they were confined entirely to the lower classes

of the people? None of the higher, or scarcely any of the middle ranks, were implicated. What then, could be effected?

Those who had the best means of judging of the true character of the French Revolution were decidedly of opinion that had not the system that led to it been supported by the wealth and influence of no less a person than the duke of Orleans, and by the talents and means of persons in the higher ranks of society, that revolution could not have been effected. The danger, therefore, was not of that imminent nature that the ministers of the crown would have the House believe. It might, he was persuaded, be effectually met and guarded against by the enactments already existing, with the addition of those he had alluded to, and in which he was ready to concur.

How came it, besides, that all this danger was not seen long since. The noble secretary of state seemed to have had no apprehension of danger from the first meeting in Spa-fields; or did the abuse that was then lavished upon the opponents of ministers in a greater degree than upon ministers themselves, serve to shut the eyes of the noble viscount to the danger which he professed afterwards to discover. It was really impossible to contemplate, without the most ludicrous sensations, the interview which had taken place between the principal orator upon that occasion and the noble secretary of state. The contrasted manners, the opposition of character, the mildness of the noble secretary and the tone assumed by the other, was altogether a scene which would have been highly diverting to a by-stander. Nothing, however, of danger at that time seemed to have been discovered; it was only on a sudden some time afterwards that all the danger seemed to have burst upon the ministers, and now, without any proof of the insufficiency of the ordinary laws, they were to be called upon to suspend the liberties of the people. He was glad, however, to find that it was thought not necessary to extend this measure to Ireland. He trusted it would therefore be deemed unnecessary to keep up so large a force in that part of the United Kingdom, and that thus a considerable saving would be effected. He also trusted that this acknowledged state of tranquillity, this admitted loyalty in Ireland, would induce a favourable consideration on the part of the ministers of the crown of the claims to civil rights of a large portion of his majesty's subjects in

that part of the United Kingdom, and that they would at length receive what they had so long and anxiously sought for, and what they were justly entitled to—a free participation in the common rights of the subjects of the realm. He could not conclude without again expressing his deep regret that ministers had not rather chosen to ensure the unanimity of parliament by moderate measures, than thus to increase discontent by measures for abridging and suspending the liberties of the subject—measures, unfortunately, which by the increased discontent they generated, tended, to others still stronger, and thus ultimately to the utter subversion of the constitution. Upon these grounds he should give his dissent to the second reading of this bill; and should not have thought himself worthy of a seat in that House, if he had not raised his voice against a measure which, in his conscience, he thought would be one of the most fatal in its consequences that had ever been adopted by parliament.

The Duke of *Sussex* said, that differing as he did from the noble lords opposite, he felt it his duty nevertheless to say, that he believed they acted from the purest motives; he believed that what they proposed, was from a regard to the constitution, yet he could not avoid saying, that from personal knowledge, he saw no grounds to believe that such a conspiracy ever existed as that which the noble lords over the way attempted to persuade the House. He was present at the examinations which had taken place before his worthy friend the present lord mayor, at the Mansion-house; he could not lend himself to support the idea of any conspiracy ever existing, and in this opinion he was the more confirmed, when he considered the amount of the subscription raised preparatory to the far famed 2d of December. That subscription, would their lordships believe it, amounted to no less than the formidable and enormous sum of ten pounds sterling! For the waggon hired on that memorable occasion, 1*l*. had been first of all paid, and 2*l*. afterwards, and he believed there was at this moment 10*s*. of the hire yet to pay. With respect to the ammunition with which this waggon was loaded, that ammunition had been placed in the waggon at the head of Chancery-lane, and was contained—in what? Why, in an old stocking and it consisted of 50 balls, none of which would fit a pistol. There was a tremendous cannister in the

waggon containing no less than one pound weight of powder! Really when such were the mighty facts of this case—when such were all the proofs of this conspiracy—he would ask, were their lordships prepared to say they would go beyond the limits of the present existing laws? Were they really disposed to magnify such molehills into mountains? Attached to the venerable, the sacred fabric of the British constitution, no man would ever feel more anxious than himself to take every precaution to prevent that fabric from being dilapidated, but never could he consent to the adoption of measures for abridging the liberty of Englishmen, for depriving them of their legitimate rights, when there was no case made out to justify such measures being adopted. Glorifying in the name of Briton, because that name was connected with every thing dear to the human heart, he could only say, that while he lived, he should ever consider it his highest honour to maintain, unimpaired, the sacred rights of Britons. His royal highness concluded by expressing his ardent hopes, that before proceeding further, their lordships would consider the necessity of hearing evidence on this most important question. Venerable as the constitution was, and sacred as the free born rights of Englishmen were, he could not consent to their being infringed on without sufficient cause to justify such an infringement.

Lord Grenville said, he considered the question now before their lordships, to be one of the most important that had ever engaged the attention of parliament, and while he was fully aware of that importance, he trusted their lordships would give him credit when he said, that no man in that House or in the country could have more hesitation than he had in sanctioning the measure now proposed for their lordships adoption. It was not a light consideration at any time, but more especially in a time of peace, to suspend an act which was justly considered as the palladium of British liberty; and nothing could justify such suspension, but a deliberate conviction, that the amount of the necessity was really such as to justify, for the shortest time possible, this inroad upon one of the bulwarks of our constitution. His noble friend had well observed, that the proper question before their lordships was, whether, at this important crisis, there was such a case made out, as would justify their lordships in suspending the Habeas Corpus act. That, and that only, was

the question for their lordships consideration; and he, for one, was prepared to say that he considered that case to have been completely made out.

On looking at this subject, he did not think it necessary to go into a sort of comparative scale of the dangers of the present moment with the dangers of former periods; because, in the fluctuating state of society and nations, he thought it hardly possible to select one or two striking circumstances, and to say that the absence of some circumstance in this case, which there was in another, must put out of consideration those evils which it was necessary to guard against. He was old enough to remember the riots of 1780, when the metropolis was for five days in the hands of an infuriated mob, which at first consisted of as few persons as those collected at Spa-fields, but which, as their lordships knew, was soon increased by immense numbers. If their lordships would look to more modern occurrences, they would find sufficient in the history of ill-fated France, to show the baneful consequences resulting from attempts to undermine moral and religious habits. For one, he was decidedly of opinion, that the revolution of that country had been accelerated by nothing so much as the publication of pamphlets of a most irreligious and seditious nature, which were given to the lowest and most ignorant of the people, whom the want of education rendered, to a considerable extent, savage. But never, he believed, till the present moment, was the hope entertained in this country, of detaching the minds of the great mass of the people, not from this or that religion, but from all religion whatever. This, however, was the most effectual mode employed in France in 1788 and 1789, to detach the people from the government, and to destroy the whole frame of society under which they enjoyed security and peace; and in England it might lead to the same dreadful consequences. The seditious writers of the present day, who deluged the country, and filled the air with their wicked and blasphemous productions, did not make it a question by whom the government should be administered, but whether a government should exist at all; whether the whole frame and constitution of the country was not so corrupt as to call not for a mere reform of parliament, but such a reform as would amount to a complete revolution.

He would not now enter on the question

which had of late been so much agitated, namely, whether some alteration in the constitution of parliament might or might not be practicable, but he would give it as his opinion, that the manner in which that question was at the present moment agitated throughout the empire, deserved their lordships most serious attention; for he was persuaded, that the name of parliamentary reform was now employed to cover projects of the most visionary nature, and which, if successful, must inevitably terminate in the destruction of the constitution of this country. These projects of universal suffrage and annual parliaments were not submitted to individuals capable of judging of their propriety, but on the contrary were directed to the poorest and most wretched classes, who were thus taught to look to the constitution, which they were told had formerly sanctioned annual parliaments and universal suffrage; but, unfortunately for the supporters of this ridiculous doctrine, the period they referred to was some hundred years prior to the very existence of parliaments in this country. Thus were the most insidious attempts made use of to subvert the minds of the poor, and to cherish ideas which had no existence, excepting in the visionary heads of those who promulgated them.

It was not, then, for the security of the higher classes alone—it was not for the security of the middling classes—but it was for the security of the whole community that he thought it necessary that parliament should interpose to arm ministers with those powers which, he feared, were the only means left to protect the safety and security of the nation at large. How it was that the evil was allowed to reach so great a height, without any measures having been adopted to check its progress, he was unable to say; but it was sufficient for him, for the present purpose, to be convinced, that the evil had in fact advanced to a magnitude which required the present measure. He certainly thought that the experience of the last six months must have convinced every man that it was the duty of government to protect the peaceable part of the community, and that it was absolutely necessary to secure them against the evils that existed; for it would be a mockery to speak of the protection we enjoyed under our laws, when it was seen by experience that the peace of the country could be disturbed whenever it was the pleasure of these desperate madmen to call together their mobs, to

attack the houses, persons, and property of his majesty's peaceable subjects, under the shadow and pretence of a constitutional reform of the representation in parliament. The facts that had come out before the committee had clearly shown, that however strong the provisions of the existing laws against corresponding societies and clubs may be, there are ingenious modes by which the crafty and designing may evade those laws, and render them altogether inefficient. He felt it his bounden duty to declare, that he considered the present situation of the country to be one of extreme danger, and that some extraordinary legislative measures were absolutely necessary. At no period in the history of the country did he believe the danger to have been greater. Never would the revolution in France have been accomplished, had the morals and religion of the community not been subverted; and he begged to assure their lordships, that when once the religious habits of a country were attempted to be undermined by the sophistry, or ridicule of the profane,—when once her sacred institutions were turned into scorn, there existed but little hope for that country. Such being the serious conviction of his mind, he felt it to be his duty openly to declare his opinion, and to give his cordial, though reluctant support, to the passing of a bill for the temporary suspension of the Habeas Corpus act. He deeply regretted that such a measure should be necessary even for the shortest possible period; but, since that was unhappily the case, he thought the Prince Regent's ministers had done right in limiting the period for the duration of the act, to the first of July, by which means the subject might be reconsidered during the present session of parliament. It would then be the duty of their lordships to consider, whether or not it would be necessary to continue the suspension longer than the earliest period mentioned. If, unhappily, the same state of things should exist, he should think that he did not discharge his duty to the country, if he were not to give his vote for its further continuance.

The Duke of Gloucester said, he was sorry to detain their lordships even for a moment longer at that late hour, but he could not reconcile it to himself to give a silent vote on this most important question. No man could possibly be more unwilling than he was to support any measure for the suspension of the Habeas Corpus act;

but he was convinced of the necessity of the measure, under the present circumstances of the country, and would therefore join his noble friend in voting for the second reading of this bill, regretting, at the same time, that he was compelled to differ from so many other noble and respected friends.

Lord *Holland* did not mean to discuss the subject at any length in the present exhausted state of the House, and rose to say a few words, merely because, on a question of such magnitude, he could not rest satisfied with giving a silent vote. The general subject had been so well explained on both sides of the House, that it was unnecessary to recur to it. The only question was, whether the necessity existed for resorting to extraordinary measures; and then, if the necessity did exist for some extraordinary proceeding, whether the present measure was that which was best calculated to answer the intended purpose? His lordship then took an interesting view of the crisis of 1795, and contended, that there was not the least similarity between that and the present period. He implored their lordships to look to France, and remember what had taken place there, in consequence of their Habeas Corpus act being suspended. He contended, it had not been proved that the present laws were inadequate, and he further maintained that they had not been duly and properly exerted. No man was more convinced than himself of the good motives by which the two noble lords opposite were actuated, but he cautioned the House to beware of giving them or any class of men, too much power. His lordship concluded an animated speech, with imploring their lordships to remember the sacred duty which they owed to themselves, their country, and posterity. The present measure was one which might be productive of more serious consequences than perhaps their lordships were aware of. Every time this act was suspended, was a stepping stone to doing so again, and its frequent suspensions might gradually convince the then existing government how mighty convenient it was to suspend it whenever their measures were attacked. Upon the whole, he could not think himself justified in voting for the second reading of the bill, because three previous requisites were wanting. In the first place, it had not been shown that the existing laws were inadequate to answer the purpose; secondly, it had not been shown

that they had been enforced, such as they were; thirdly, it did not appear to him that this was the proper mode of meeting the present evil.

The House then divided on the motion for the second reading of the bill: Content, 84; Proxies, 66:—150. Not Content, 23; Proxies, 12:—35. Majority, 115.

The bill was then read a second time, committed, reported, read a third time, and passed.

List of the Minority.

Present.

DUKES.	Grey
Sussex	Darnley
Somerset	Lauderdale.
Bedford	VISCOUNT.
Argyll.	Torrington.
MARQUESS.	LORDS.
Wellesley.	Say and Sele
EARLS.	St. John
Derby	Montfort
Thanet	Holland
Essex	Foley
Albemarle	Auckland
Grosvenor	Alvanley
Rosslyn	Erskine.

Proxies.

DUKES.	Darlington
Devonshire	St. Vincent.
Leinster.	VISCOUNT.
MARQUESS.	Anson
Downshire.	Clifden.
EARLS.	LORDS.
Jersey	Byron
Cowper	Ponsonby.
Waldegrave	

PROTEST AGAINST THE HABEAS CORPUS SUSPENSION BILL.] The following Protest was entered on the Journals:

“Dissentient,

“Because it does not appear to us, that, in the report of the Secret Committee, there has been stated such a case of imminent and pressing danger, as may not be sufficiently provided against by the powers of the executive government under the existing laws, and as requires the suspension of the most important security of the liberty of the country.

(Signed)

AUG. FREDERICK.	GREY.
BEDFORD.	WELLESLEY.
ALBEMARLE.	THANET.
FOLEY.	GROSVENOR.
SUNDRIDGE.	AUCKLAND.
ALVANLEY.	ST. JOHN.
MONTFORT.	SAY AND SELE.
ESSEX.	ROSSLYN.
LAUDERDALE.	VASS. HOLLAND.”

HOUSE OF COMMONS.

Monday, February 24.

PETITION OF MR. HUNT]. Lord Cochrane moved, that a petition should be read which within ten minutes had been put into his hand. It came from an individual who was ready to prove at the bar of the House, the falsehood of certain imputations on the public that had lately appeared in the newspapers as the report of the secret committee. He thought there could be no doubt, that allegations of this nature should be examined before the House proceeded to suspend the liberties of the country. The individual in question stated, that lord Sidmouth knew beforehand the proposals and intentions of the parties who excited the tumult at Spa-fields; that certain instruments, resembling pike-heads, had been ordered, by a person in the dress of a game keeper, to be made at the shop of one Bentley; that those instruments were nothing more nor less than spikes, for securing the head of a fish-pond against marauders; that certain police-officers had come to this same Bentley, and had ordered him to fabricate some more spikes similar to those he had made for the gamekeeper; and that these imitations, fabricated by such orders, were the pike-heads produced before the committee of secrecy. The petition contained much other curious matter, for the truth of which he did not hold himself responsible; but he thought that it ought to be examined into, and a committee appointed for the purpose; because it would be satisfactory, that the proceedings of the House should be grounded on truth, or that, if the allegations contained in the petition were false, the individual who had attempted thus to impose on the House should be severely punished. It appeared to him a most extraordinary circumstance, that though a private person, when accused, was allowed to exculpate himself in the best manner he could, the whole people of England should be condemned, unheard, by a selected committee—and all knew how committees were selected. This was so extraordinary and unjust, that he protested against it, and trusted the House would not sanction such a proceeding by its vote, when it was notorious that no serious disturbances had taken place. It was true, that a small body, calling themselves Spenceans, had meditated an attack on the property of the country; but they were not above a

hundred in number, even in the opinion of the lord mayor. That a few desperate individuals might have evil designs he had no doubt, but that the constitution was in danger from any such wretched individuals, no one could seriously imagine.

The petition from Henry Hunt, of Middleton-cottage, near Andover, was then read. It was couched in the same words as the one this day presented to the House of Lords. [See p. 546]. It was ordered to lie on the table.

SEDITIONS MEETINGS BILL.] The order of the day having been read, for taking into consideration the Report of the Committee of Secrecy,

Lord Castlereagh rose. He assured the House, that in the whole course of his life he had never performed a more painful duty than that which he was then called upon to discharge. It had frequently been necessary for him in extraordinary exigencies of the state to call on parliament to take extraordinary measures to meet those exigencies. But it was peculiarly painful and grievous to find, that after having passed through all the dangers and pressure of war it became necessary, notwithstanding the return of peace abroad, to require the adoption of proceedings that might insure the continuance of tranquillity at home. He certainly should have hoped, that after the dreadful record of the sufferings of mankind which the French revolution had afforded, after the proofs which had been given during the last twenty-five years, that those who engaged in such hazardous enterprises brought down not only destruction on their own heads, but ruin on their country; it would have been difficult, if not impossible, to find any individual so dead to all sense of private feeling and public duty; so prone to be operated upon by artful and wicked individuals, as to engage in schemes of a similar tendency, and to render the immediate and powerful interference of parliament necessary, in order to maintain the public peace. But much as he or any one else might have flattered himself on this subject, it was perhaps not surprising, looking at the nature and spirit, and course of the revolution to which he had alluded, to discover that there were men, who, without any natural pretensions, had pride and audacity enough to imagine that they were competent to fill the first offices of the state; and to make themselves masters of

the destinies of their country. This spirit was characteristic of the times in which it was our unfortunate lot to live. On the other hand, however, there were many circumstances of consolation in the nature of the existing manifestation of that spirit. If we could not say that we had traversed the whole period of revolutionary danger, we might at least congratulate ourselves on having surmounted the most trying difficulties and hazards in which the constitution of the realm had been placed. If the whole danger had not passed by, at least we had passed its acme. Although we were compelled to admit that a treasonable disposition existed, it must be allowed that it chiefly prevailed in the inferior orders of society. Looking to the history of the revolutionary spirit in this country, it appeared to have been gradually descending from those higher and better informed ranks, in which it formerly betrayed itself, to those lower orders in which it was now principally to be found. The poison now operated only on those classes to which an antidote could perhaps be more easily discovered, and more effectually applied. From the Ludites—from the Spenceans—the country had heard doctrines so absurd on the face of them [Hear, hear!], that, however, they might be rendered availing by designing men, it was evident that they originated in sheer ignorance. It was certainly gratifying to feel that those doctrines contained within themselves such a principle of counteraction. But still the House would abandon its duty if it slept on the danger without providing some active and effective remedy against it. For, while he contrasted the different orders of society in which the revolutionary feeling existed now and formerly, he by no means implied that he did not think much of the talents and ability of those designing individuals who took advantage of the existence of the present feeling. There was no lack of talent on the part of those who were engaged in these criminal enterprises. Let the House read the libels which degraded all existing authorities, which vilified every thing sacred and established, they would not trace in them a vulgar understanding. The men by whom they were written, however perversely, however mischievously disposed, were men of evident ability. In support of this assertion, he need only appeal to his hon. and learned friend near him to state the difficulty which he en-

countered in dealing with those libels.—But this was not all. There were many men, distinguished in station and abilities, who, if they were not connected with those meetings, conducted themselves in such a manner as to countenance their principles and their proceedings. These persons, who had distinguished themselves by their efforts to excite and inflame the public mind, were recognised by the conspirators as their allies—as embarked in a common cause—and though they did not render themselves liable to the operation of the laws, yet, in the deliberations of the conspirators, they were referred to and named familiarly amongst themselves as those who, under a new state of things, should compose their committees of public safety—[Cries of Name, name!] He did not feel it his duty to name any one. He would distinctly allow that the committee had not seen the slightest evidence to show that any individuals of the higher ranks were members of any of the combinations to which he had alluded; but the persons actually combining considered that such individuals so effectually aided and abetted their purposes, as to be persuaded, that as soon as an insurrection should have overturned the state, those individuals would be ready to declare themselves, and to put themselves at their head. Though these individuals could not therefore be charged at the bar of their country, yet in the eyes of God and man they stood responsible for the calamities which might fall upon the land, and for the lives which deluded individuals might pay for the treason which they had thus encouraged.

Having said thus much, and not wishing to occupy a larger portion of time on this subject, he should proceed to give the House a fair, and not exaggerated description of the nature and extent of the dangers which menaced the country; and direct its attention to the remedy which his majesty's ministers thought fit to recommend to parliament. It ought always to be borne in mind that the report of the secret committee had not been drawn up by one class of men alone; and that it was an unanimous report. It did not go beyond the state of the case; and when a committee so composed unanimously declared that a conspiracy existed which endangered the existence of the constitution and the dearest interests of the country, it might well be credited that it only went as far as it was supported by evi-

dence. If the basis of the information before the House amounted to this, that a conspiracy of so extensive a nature and so dangerous a tendency existed, having for its object not only the subversion of the government, but the destruction of every moral and social principle, he apprehended that he was justified in assuming, that it was a conspiracy not remotely looked to, as likely to be carried into execution under future circumstances, but one of a desperate character, on the point of exploding, and which in fact had exploded.—For although the conspirators had not been joined to the extent which they expected, yet they had conceived that the general means which they had provided, were sufficient to enable them to make the attempt with a rational prospect of success. The House could not doubt the sincerity of their conviction that it was possible for them to succeed, because when men hazarded their lives in any cause they had always something which appeared to them to be a rational ground of hope. There was now therefore a degree of proof which had never before been possessed when parliament had been called upon to adopt precautionary measures. In no instance, except perhaps in Ireland, had conspiracy proceeded so far as to levy war, and by the force of arms to attempt to seize on the metropolis, and on the executive power of the state. From this, however, he drew the omen, that the period was approaching when the evil might be entirely extinguished. It bore a character of desperation, which it had not assumed in former days. The fact of a conspiracy was therefore established, with the fact of an attempt and effort in arms. It would be confining the extent of the peril within too narrow limits, to consider that it sprung from the meeting of the 2d December alone. If the fact of a conspiracy rested only on the events of that day, and he saw nothing organizing in the other parts of the country to support that effort, he might have thought with the gentlemen opposite that it was contemptible in itself, and that the state was not under the necessity of resorting to extraordinary measures. But it would be disguising the truth from the House to narrow the danger to the single effort made in the metropolis, or to separate it from others going on at that very moment under the pretence of seeking for parliamentary reform. He would not deny that many individuals throughout the

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country had a reform of parliament really in view; but most of them looked at it merely as a half measure, or a veil to the carrying on of their designs. All these various societies intended to co-operate together in order to control the constituted authorities of the state, and impose upon the nation, by physical force that change, whatever it might be, which they considered necessary. It was not requisite to follow the Spencean or Union, or Hampden Clubs (or by whatever other name they might be called) through all their ramifications, or to bring legal evidence before the House how they acted in all their secret proceedings. But would any man in the country or any member in that House deny that those Societies existed and acted on a principle of extension and combination; and that the greater mass of them, though under the name of reform, and particularly the Hampden Clubs, served only as vehicles to communicate revolutionary principles? Some were undoubtedly sincere in their wish for reform, but it was in evidence before the committee, that even these admitted individuals professing the Spencean doctrines to become members. It had been clearly made out that a wicked conspiracy existed in the country for the subversion of the constitution and the state. It had been proved that a strong effort had been made in arms to attain the object in view, and it appeared that the individuals who were deeply implicated in the crime of treason, had been the most active to procure meetings for the apparent purpose of parliamentary reform, particularly that of the 2d of December. The petition of one individual who had taken a prominent part in the meetings in the metropolis, was before the House. It was not for him to assign the motives which actuated that individual: but this he would say, that, admitting all the statements in that petition to be true, they did not negative what he had asserted, that the project of the first meeting in November was formed with the view of feeling the pulse of the public, and that the public in November not appearing sufficiently ripe for the purpose in view, December was considered as a period when the poison might be more likely to be poured with effect into the public mind, and that for the purpose of the effort which they were equally ready to make in November. It appeared from the report, that that

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effort was only part of the hopes of the conspirators, and that they had other hopes which were not closed yet—hopes which were founded on being able, if not by a desperate effort to seize the ruling power, at least gradually to poison the public mind, more especially in the manufacturing districts. If there was one part of the country which ought to dread revolution more than another, it was that part of the people to which they addressed themselves; for though, in the convulsions attendant on a revolution, the agricultural class might struggle through the difficulties which more or less affected the whole community, the manufacturing class had always been reduced to the lowest state of beggary and degradation. If there was one class of men therefore more interested than another in preventing a revolution, it was the manufacturing class. But unfortunately evil disposed persons availed themselves of the facility of reunion and combination which this class possessed, and they seized the moment of suffering to pour their poison into their minds.

This being the nature of the danger which they had to apprehend, he would now point the attention of the House to the measures which his majesty's ministers had thought it advisable to propose for the purpose of meeting that danger. First of all, though the motion with which he should conclude did not extend so far, he considered himself in candour bound to state to the House the whole system of measures which his majesty's ministers felt it their duty to recommend to parliament, for the purpose of strengthening the hands of the executive. He should begin by alluding to a bill which had been introduced into another House—if that bill should be transmitted to them, he should feel it his duty to support the temporary suspension of the Habeas Corpus act. There was no measure which he could propose that would inflict upon him greater personal pain, or a heavier load of responsibility. There was no measure which ought to be viewed with more suspicion by the legislature—it was a measure which ought not to be recurred to but when justified by the fullest and most absolute necessity. Although it was a measure of which the constitution of the country had frequently recognized the necessity, yet he admitted that there was no measure which the House ought to show such repugnance in adopting, for the privilege of

Habeas Corpus was that which, above all others, nobly and proudly distinguished the British constitution. While government assumed to themselves the whole weight of the responsibility consequent on such a proposition, he must contend that the House would be betraying their duties to the country, if they did not arm for a time the executive with this power, because it would give them the support which was of all others the most effectual, in a period of exigency, to enable them to watch over the safety of the state. Perhaps the necessity of this measure might grow out of the difficulty in establishing the crime of treason, which was placed under so much greater jealousy of proof than any other, requiring a concurrence of evidence of most difficult attainment. To establish treason, it was not only necessary that it should appear under substantial forms, but there should be two witnesses to each overt act. The state might be in possession of the knowledge of an overt act, for which in other cases they could send the individual committing it to trial; but it was very different in high treason, there they often could not interfere between the danger and the result, and they were stopt short in their attempts against machinations, at the very moment when those machinations were on the point of deluging their country with blood, and when they might have legal evidence in the case of any other crime, though not of that particular crime—and an arrest of the individuals would be unavailing when by a writ of Habeas Corpus they might immediately be brought into a state allowing them to renew their desperate efforts. It was obvious to every man who knew any thing at all of that law, or the working of the constitution, that it was impossible for any government, during its continuance, to deal with conspiracies against the state, without being fettered in all their operations by it. And, therefore, though no individuals on the other side of the House could feel more reluctance than he did to encroach on the charter of the liberties of the country, he would say that never within his own experience, during the last 25 years, was there such a necessity for the suspension. At the same time that he thought the necessity of the times justified him in calling for a suspension of the law, he should propose that suspension to the legislature with every guard against abuse; and that the interval of suspension should be as

short as possible. And therefore in the introduction of this measure he should not propose its extension beyond the present session, that it might remain with parliament, before the act expired, to renew it for a longer period if they should deem it advisable, but if otherwise, that it should expire. He should also wish to render it a local measure. It was a circumstance of great gratification to his majesty's ministers, that they had not to state to the House any necessity for extending the operation of this measure to Ireland, and that the internal situation of Ireland was at present tranquil to that degree, that he hoped the people of that country had at length drawn a useful lesson from their experience; and were determined to set a noble example to the rest of the united kingdom.

Having referred to the suspension of the Habeas Corpus act as a measure of indispensable duty, imperative on his majesty's ministers and on parliament, he should now proceed to advert to other measures which he considered equally indispensable to enable the executive to do their duty at the present crisis. A law was passed in 1795 under circumstances similar to the present, when an atrocious attempt was made against the person of the sovereign, in his way to parliament, in the exercise of his sovereign duty, an attempt which had lately been so disgracefully renewed. A law was then passed for the better security of the life of the sovereign, which made direct attacks against the sovereign liable in the same manner as attacks against the meanest individual—because, whatever safeguards were placed by the law against charging an individual with constructive treason, there could be no reason for rendering the proof of a crime against the person of the sovereign more difficult than a crime against the meanest individual; and there could be but one opinion in the House of the propriety of providing that the same legal protection should be afforded to the regent, as was afforded to the sovereign. Their object, therefore, was, to extend the provisions of the act of the 36th of the king to his royal highness the Prince Regent, or such other person as should be in the exercise of the sovereign authority. It appeared in this, as well as in former treasons, that much was built on the hope of debauching and seducing the soldiery and sea forces. The House could not but agree with him in thinking, that it was necessary, above all

things, in protecting the state, to secure the soldiers from attempts to seduce them from their allegiance. Those who attempted to seduce soldiers from their duty, were guilty of one of the greatest crimes, and no crime ought to be more severely punished than the one which, in defiance of oaths, endeavoured to make the military the perjured instruments of the accomplishment of the views of such individuals.

He now came to a branch of the question which, when formerly agitated, had caused much discussion, and on which great difference of opinion had prevailed. What he alluded to was the debates in 1795 and 1799. But he was sure that all the considerations which weighed on the minds of the legislature at those periods, and induced them to pass the vote which declared the illegality of all secret associations for political purposes, and of all affiliations which admitted to a fraternity with such associations other classes of persons, whose sole object was the application of what they called “physical force,” for the purpose of bloodshed and rebellion, would be acknowledged to occur more forcibly on the present occasion. The House had not hesitated, in 1799, to declare such associations illegal, by a law not of a temporary nature, but permanent and unrestricted as to the time during which it was to continue in force. It was far from the wish or the intention of the legislature by that act to oppose any obstacle to the exercise of constitutional rights. What it was wished to oppose was, to put down that system, springing out of the French revolution, which sought, by means of societies and affiliated societies, to excite the people to rebellion against every government. That law considered the very principle of affiliation and fraternization so abhorrent to the spirit of our constitution, that the law against them was made permanent; but it had become inefficient by the accidental circumstance of the act of the 36th of the King then in force being only a temporary act, and it so happened that some of the operative clauses in the act of the 39th referred to the provisions of the act of the 36th, the existence of which was therefore necessary for the operation of the act of the 39th, in its executory clauses. When the act of the 36th expired, the intention of the legislature was from this circumstance defeated, and the act of the 39th of the king became in-operative. With respect to this part of the subject, therefore, parliament would find it now not only neces-

sary to revive the act of the 39th of the king, but also that of the 36th, commonly known by the name of the Sedition act. At the time when the Sedition act was passed, several meetings of a very alarming nature had been held in the neighbourhood of the metropolis at Copenhagen-house and elsewhere—and threatened the most serious consequences. But none of the meetings at that time had proceeded to acts of open violence. The legislature then did what was very wise, in anticipating the designs of the agitators, and preventing all the mischiefs and calamities with which the country was threatened. But, in the present case, there was no need to exercise so much foresight; it was not necessary now to calculate on the probability of the acts of open violence, which, in 1795, when this act had been passed, were only guessed at and expected. Those acts of violence which, in 1795, had only been contemplated, had in the present case been put into execution. There was no extremity to which they had not now either actually proceeded, or at least they had gone so far as to make any doubt or hesitation as to their designs impossible. All the artifices—all the preparations—all the precautions which could make such crimes most dangerous, had in the present case been resorted to. A mob was assembled—their basest passions were appealed to—their cupidity inflamed—their most lawless appetites promised to be gratified—the means too were pointed out, and these agitators watched in the countenances of the deluded rabble the effect of their harangues, till they found them wrought up to the perpetration of the most horrid excesses and crimes. All this had actually been done. There were not only at these meetings the orators, but also those who absolutely went there to watch the effects produced upon the people. After all this, he would say that it would be most besotted, if parliament were to wait before it put these laws into force, till it should see there was really occasion for them by a repetition of the crimes. When, under less menacing circumstances, the legislature had thought it necessary to enact the laws to which he alluded, there could be very little doubt whether, in the present times, it was not the duty of parliament to make these laws efficient, and to give that power to the government which it had formerly given. There had grown out of that law a good effect, which he hoped would likewise spring from it on the pre-

sent occasion. It had been the means of preventing the exercise of the right of petition (which this act was, by no means, intended to infringe upon, but which, on the contrary, parliament was bound by every means to facilitate)—it had prevented that right from being made, the indirect means of corrupting the public mind, not merely corrupting, but leading it on to the perpetration of every atrocity, high treason, felony and rebellion.—He had no doubt, that when parliament spoke to the public on this subject, in the authoritative language of the law—when it was pronounced by parliament that by such means a few designing men were attempting to lead the many to the commission of such dreadful crimes;—when this was done, he had no doubt that all those criminal acts would expire under the moral influence of the law; that the public mind would be enlightened; the instigators would fall into merited disgrace, and such a change would be produced where the mischief was now begun, that it would not even be found necessary to put in force, or to inflict the penalties which the act imposed. Many of the misguided individuals who now frequented improper meetings would probably abstain from visiting those meetings when they should be declared by parliament the repositories of crime. This branch of the remedy must also extend to the mode in which these pernicious doctrines had been disseminated. The most extraordinary and systematic assiduity and industry had been used in the circulation of blasphemy, every species of infidelity, and sedition; and for the destruction of all those moral and religious principles on which alone the well being of any state could be founded. From the means used for this purpose, he deemed it necessary to have all seditious clubs and debating societies placed on the same footing as to criminality as they had been by the act of 1795. The same system which then prevailed was now renewed. There was scarcely a room in any public house which was not occupied by some meeting of this kind. It was certainly with much regret that he found that some persons of such a rank in society as left them no excuse on the ground of ignorance, should have gone to Hampden Clubs, and made speeches containing doctrines which, to say the least, were of the most mischievous description. If ever there was a society that deserved to be marked with reprobation, and to have its name held up to the same execra-

tion as had been branded already by the legislature on such clubs as the United Irishmen, the Corresponding Societies, and others of the same kind—the Spencean was that society. A noble lord opposite had chosen to say that this society did not consist of more than a hundred members. He could only say, that there was evidence before the secret committee, which proved that at one point of reunion of this society in the metropolis, the number was far greater than that at which the noble lord thought proper to estimate it; and this had appeared from no other evidence than that of the very officers of the society who had, with a strange alacrity, made all their statements and disclosures with the utmost readiness. These men seemed to think, that when they called themselves Philanthropists, the very name must disarm suspicion. It was one characteristic feature of these reforming societies, that they all professed the most unbounded benevolence, they were all Philanthropists; all their plans and projects, no matter whether directed against our persons or our properties, were, if we believed them, conceived in loving-kindness to the human race. They made no scruple of avowing that the object of their society was the destruction of private property; and thus, by a singular perversity, this society or association was formed on principles, the direct tendency of which was the destruction from its very foundation, of the fabric of civil society.—As to the other societies, known by the name of Union Societies, it had been alleged by some individuals that the London Union Society had ceased to exist. On this subject he wished explicitly to state, that the committee had been put in possession of documents which proved the existence of Union Clubs at Sheffield, Mansfield, and other places, which represented themselves as branches of the Union Club in London. And this had been distinctly proved, that as late as December, 1816, by the payment of 20s. to the Union Club at Sheffield, or any the other places, the person who paid this sum was made an honorary member of the Union Society of London.—But really it was impossible for the House to attend to all the shuffling, special pleading shifts to which these societies resorted as to their names; for they seemed to have a wonderful facility at changing names. No matter as to the name, whether they called themselves Union Clubs or Hampden Clubs, they seem all actuated by the same spirit, they all passed the same resolutions,

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and the House must not attend to their paltry nominal distinctions—they must not be cheated by such means. The legislature would actually be drivelling if it attended to any such distinctions. The most pernicious doctrines might be hid under harmless names. But these societies were all founded on the same principles, or had all adopted them, and were therefore all equally deserving the reprobation of parliament. The Spencean doctrines were recognized and inculcated by all of them, no matter by what name they called themselves. And why the Spencean doctrines? Why was it on this that they all more especially agreed? It was for this—because they were founded on the principle of plunder and participation of property.—It was by plunder that they hoped to work on the mind of the poor deluded tradesman. They were all on the same agrarian principle—the equal division of property—the simultaneous rising of the parishes—the hunting down of the landholder:—nay, so beautiful was their system, that the poor land-holder was not to be destroyed, but when he had been stripped of his property, he was to be made a pensioner of the public. If it were not that it would be unreasonable to trespass so far upon the time of the House, he could produce the creed of this society, not written in the style of illiterate, low-bred mischief-makers, but with an air of eloquence that would astonish the House. The doctrines which these societies wished to impress upon the minds of the people with respect to the division of property, reminded him what Bounaparté had promised to his soldiers, when, at the commencement of the campaign, he declared to them that a particular tract of the enemy's country should be appropriated to them and shared amongst them. This promise had never been performed, and it would be exactly so with the poor deluded victims who might be seduced to enlist in the army of these Philanthropists. The system was evidently nothing but a cloak under which to fight against what were called the privileged orders, the land-owners, and those monsters, as they were termed, the fundholders.

On the whole, the measures which he should propose, as the most wise which parliament could adopt, were—1st. The temporary suspension of the Habeas Corpus act. 2nd. To extend the act of 1795 for the security of his majesty's person, to his royal highness the Prince Regent, as

the person exercising the functions of royalty. 3rd. To embody into one act the provisions of the act of 1795, relative to tumultuous meetings and debating societies, and the provisions of the act of the 39th of the King, which declared the illegality of all societies bound together by secret oaths, or if not by secret oaths, which extended itself by fraternized branches over the kingdom; and to make it enact, that the nominating delegates or commissioners, under any pretext, to any other society of the kind, should be considered as sufficient proof of the illegality of such societies or associations. 4th. To make such enactments as should be thought most effectual to punish with the utmost rigour any attempt to gain over soldiers or sailors to act with any association or set of men, and withdraw them from their allegiance.

He was anxious that the House should observe the distinction which he wished to make as to the duration of these measures. Some of them it would be thought wise to enact as permanent laws; but others might be merely for a time. Particularly, the law against seditious meetings and debating societies was one which ought not to be continued longer than should be thought absolutely necessary to obviate the present temporary danger. When that law had been first introduced, the time during which it was to continue in force had been limited to three years from the end of the session when the act was passed. On the present occasion, he anxiously indulged the hope, that by the complete exposure of the nature of the doctrines which had been so industriously inculcated, the associations in question would fall to pieces by their own absurdity, and that it would not now be necessary to extend the duration of this measure so long as at the time when it was first proposed, and when the country had a double contest to maintain, against a foreign, as well as this domestic enemy: he would therefore wish this act to endure till after the commencement of the next session of parliament, when it might be renewed if circumstances should seem to render it necessary, or if not, it might be suffered to expire.

In calling the attention of the House to this important subject, he had endeavoured not to over-rate the danger with which these associations threatened the country; he held them in the contempt and disgust which they deserved. But then, the evil

having come to such a height as to require the interference of parliament; when the legislature was called upon to put it down, and to free the people at large from the bondage to which a few mischievous individuals endeavoured to subject them, prompt and efficacious measures were necessary. If it were properly dealt with, all this treason would soon decay; if parliament took from the conspirators their hopes of success—if they were made to feel that the legislature watched their proceedings, and had both the power and the resolution to arrest the progress of their diabolical designs, then the evil would be overcome. He hoped that the spirit of the laws, and of those to whom the execution in this particular case was to be intrusted, would be sufficient assurance to the House against any sinister use being made of the extraordinary powers with which the proposed measure might arm any of the branches of government. He particularly alluded to a noble individual in another House, of whose wisdom and moderation the parliament and the country had had such ample experience. In submitting these measures to the House, he was fully aware of the odious nature of some of them, and he felt the utmost repugnance at being obliged to bring forward such propositions. But as the very excellence and distinctive mark of the British constitution was the power of extending or modifying the laws so as to meet existing dangers, he felt that the ministers of the crown would betray their best duties if they allowed any feelings of repugnance on their part to prevent them from coming forward with those measures—from using those precautions, no matter how odious, to any particular class of men, which the dangers of the times required, which were demanded for the safety of the state. It was in the discharge of this paramount duty, yet still with painful reluctance, that he had called the attention of the House to the report of the committee. Upon that report he rested the necessity of the measures which he thought it expedient to propose for the adoption of the House; and the first proposition on which he called for its opinion was, “That leave be given to bring in a bill for the more effectually preventing Seditious Meetings and Assemblies.”

Mr. *Ponsonby*, under the circumstances in which he now felt himself called upon to offer himself to the notice of the House, felt extremely apprehensive, that in stat-

ing his sentiments, something might inadvertently escape from him, which, as a member of the committee, he ought not to divulge. All that he had therefore to request was, that if any thing of this kind should fall from him, the noble lord, or some other member of the committee, would immediately interfere and stop him. The noble lord had said what was quite true, when he stated to the House that the committee were unanimous. And he would say, as the noble lord had said, that there was nothing affirmed in the report which he (Mr. P.) did not firmly believe to be founded in fact. All that the noble lord had stated to the House, as far as he (Mr. P.) knew, was quite correct. The noble lord had then proceeded to mention the several remedies which he thought most fit to be applied to the present distempered state of the country: and these he sought in the revival of the whole or some parts of the provisions of three or four acts of parliament. It was proposed to extend to the person of the Prince Regent the same protection which in certain cases the legislature had deemed necessary to the person of the King; and in this extension, for his own part, he entirely concurred.—He thought it better that this protection should be afforded by a separate act of parliament, than to legislate upon the subject generally, by incorporating the person of his majesty with the person of the Regent, because in the spirit of our laws there were certain attributes in the crown which were not in the person of the Regent. To that measure, proposed by the noble lord, which related to the crime of seducing troops from their allegiance, he also agreed.—When parliament gave the crown a military force, it assumed the power of giving or refusing it—but when it was given to the king it became the king's army, and the law must not leave matters so loose with respect to it, as to allow the possibility of any question arising, whether it should be the army of the King or the army of the mob.—The noble lord then proposed to unite two acts—the act of the 36th of the King, which had expired, and that of the 39th, which still existed—and by the amalgamation of these two acts to compose a fit remedy for the present evils. On this point the noble lord had stated his intentions in such a way, and had been so little explicit, that it was not possible for him at present to deliver any positive opinion. But this much he would say, that

he would not make any objection to the introduction of the measure. In short, such was the impression made upon his mind, that he wished to go every length which duty and propriety would allow, in strengthening the hands of government on this occasion.—As to the various societies which had been mentioned by the noble lord, foolish and criminal as they were, he agreed that nothing could be more absurd or contemptible. Yet he could well imagine, that if these societies were allowed to run on and extend themselves, they might in the end become far from contemptible.—He agreed that social meetings, originally intended for good purposes might easily be perverted to something very bad and mischievous. But while he thought this, he wished to guard himself from being construed to pledge his support to all the details of the measures of the noble lord, although he gave his cordial assent to their introduction.—But he was sorry to say that there was another bill to which he could not assent, for the suspension of the Habeas Corpus act would meet with an opposition from him as perfect and as firm as his support to the others. This measure, however, he should not debate by anticipation, as it was not likely to come before the House on this night. With respect to the communication which had been made to parliament, it had his perfect approbation. If he had been in the cabinet, he would have advised a communication of the very same kind. So far as that communication went, he thought it right. But he wished that the noble lord had exercised a more chaste and prudent forbearance in stating what had been done by individuals at those societies. It appeared unbecoming in the noble lord as a minister and a member of the committee so to express himself as to draw down suspicion on the head of any man. The committee had not involved the name of any particular individual, and the noble lord must pardon him when he said, that he had gone beyond his duty, in stating to the House what seemed as if the committee had found that the names of some individuals of high rank were involved in the proceedings of these committees. If the committee had traced these proceedings to any person—however high his rank—they would have had manliness and firmness enough to have stated the name of any individual so implicated. He did not feel it proper to say any more at present on that subject. He might,

perhaps, have mistaken the meaning of what fell from the noble lord. He did not know against whom the noble lord meant to excite suspicion, but certainly his words tended to excite suspicion against some one. On the whole, these were the only parts of the noble lord's speech to which he could not agree. As far as he understood the measures proposed by the noble lord, they met with his approbation, excepting only that which went to the suspension of the Habeas Corpus act. As to the last, from the very first proceedings of the committee, he was convinced that there was nothing to call for such a remedy. It was a power with which he would not intrust any ministry, although composed of his dearest friends, unless he saw that without it there were no means sufficient to protect the government and the constitution.

Lord Castlereagh, in explanation, disclaimed the intention of casting any imputation on particular individuals. It certainly appeared to the committee that the conspirators in their proceedings had looked forward to the appointment of some committee of public safety, which they imagined might be composed of certain individuals, who it was thought improbable would be connected with them. This afforded a fair ground for him to throw out a caution to such individuals as might be the objects of the expectation to which he had alluded; and that was all that he had done.

Sir Francis Burdett said, that having so very different an impression from reading the report of the committee of secrecy, from that of the noble lord opposite, or the right hon. gentleman near him, and being far from possessing the same confidence in the ministers of the crown which some seemed to possess, he could not refrain from entering his protest against the new infringement of the constitution, which the House was called upon to sanction. Seeing so much exaggeration of well known facts, and such unauthorized insinuations against persons who were innocent; believing that an attempt was made to create alarm for no other purpose than as a ground for measures which would prevent the people from demanding their rights; he felt that he should not be doing his duty if he did not oppose *in limine* these new regulations which ministers had proposed. He called them new regulations, though they might plead precedent in their favour, because the circumstances of the country

when they were first enacted, bore no resemblance to its condition now, when their re-enactment was contemplated. It seemed to him absurd and ridiculous to pretend that there was any necessity for new laws to suppress or guard against the efforts of a few wild enthusiasts. These new propositions formed part of the chain of encroachments upon the constitution which the absurd and foolish delusions by which the gentlemen of England had been alarmed were intended to disguise;—but was it really to be imagined that any danger could arise from the absurd project of Mr. Spence (a project which existed 20 years ago, but which had been revived for the occasion), to take the property of the country from the present proprietors to divide among the followers of the new doctrine? The gentlemen of England were surely not so tame and foolish as to look on and see themselves stript of their inheritance; but if that were apprehended, the measures proposed by the noble lord were not calculated to meet the evil. Why did not the noble lord, if he dreaded such an evil, take the constitutional means of advertising it, and arm property for its own defence? As the noble lord was so fond of reading pamphlets, he recommended him to read the excellent tract of sir William Jones, on the constitutional means of suppressing riots. By arming the people of England in a constitutional way, they might set at defiance the Spenceans, without throwing themselves into the power of the sect of Expenceans, of whom the noble lord was one—who were now, in reality, taking their property from them, while they set forth this contemptible plot to blind the eyes of the people, and enable them to consummate their ruin. As the pamphlets of the reformers and of the Spenceans and indeed all which could be raked together had been introduced as indicative of the feeling of the people, he might be allowed to allude to one which was supposed to speak the sentiments of the ministers. This pamphlet was called “Reform the Watch Word of Revolution.” The writer of this pamphlet, after talking of the happiness which would result from a state of peace, observed, that the immediate interest of the governments of all the countries in Europe on the same principle on which they had restored the ancient government of France, which he (the hon. baronet) thanked God they had not altogether been able to effect, stimulated them to prevent in this country a revolution which threat-

ened the tranquillity of Europe. The writer then warned the people to beware "lest they might lead to the introduction of a foreign army into this country, and thus turn into a complete despotism the government they were striving to reform." He did not know whether the measure thus pointed out by this ministerial writer formed a part of the holy league of which the noble lord was a champion—and which was indeed a conspiracy of all governments against people of all nations. If the system on which the noble lord called on them to enter were pursued, then indeed foreign armies might be found necessary to support the government against the hatred and anger of the people; for a native one would not be prepared to plunge their swords into the bosoms of their countrymen; although it had been so much the fashion to separate the army from the people; and thus not only to habituate the country to standing armies, before unknown to the laws, but to hold such standing armies up as the special and only preservers of the public peace. If this system were pursued, all freedom would be at an end. Whatever might be the prescribed forms of the constitution in every country in which there were standing armies—in which the government alone was armed, and the people unarmed, that constitution must become military and despotic. But if the excellent plan of Sir W. Jones, which was framed in the real spirit of the constitution, were introduced, the country would possess an armed force sufficient for all purposes of security, and the arms too would be in the hands of people best interested in the preservation of the public peace. But how was the suspension of the Habeas Corpus necessary? If the absurd pamphlet of Mr. Spence, which the noble lord had described as being written with such ability, had the effect of inducing the proprietors to give up their lands, it would be an effect which reasoning had never before produced in the world. But if it had that effect, *volenti non fit injuria*, the landholders, being contented, Mr. Spence's followers might divide the land among themselves, and thus in either case there would be no harm to be apprehended from such persuasion. But as to the attempts to carry the plot into effect by force—they had been told of treasons and conspiracies, and associations, without one iota of proof: but there were laws against treason, against conspiracies against blasphemy—there were great powers, un-

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constitutional powers as he thought, lodged in the government for the prosecution of libels: the government might lay hold of any writer, and appoint every part of the court which tried him;—the judge, the attorney-general, were appointed by the crown—the special jury was selected by the officers of the crown. If these checks upon the press were not sufficient, but new measures were to be enacted to subject it to a more severe control, it was nonsense to talk of the liberty of the press; it would be better at once to say that they would not endure it—that the public mind was come to such a state, that the freedom which our forefathers might enjoy, we were not fit to possess—it was better to do this than to entrap the people, and punish by *ex post facto* laws, as the noble seemed to intend to do. As to the treason and conspiracies particularized in the report, they were for the most part what had been retailed in every newspaper many months ago. If they were pregnant with such horrid consequences, why had not the noble lord sooner resorted to parliament for a remedy? Had he not by this remissness become a party to the conspiracy? Why were they not revealed in the king's speech? In that speech, on the contrary, they were told of the resignation of the people, a new virtue for which they had great need, when they were dying absolutely for want. The virtues of the people in the short time which had passed since that speech, seemed to have vanished, and there was nothing but treason and discontent in the country. As to the clubs of which he had been a member, he was now, on account of his connexion with them, branded as a traitor and conspirator. He repelled this charge; he owed no allegiance to the corruption in that House, or to the Borough-mongers, by whom it was constituted; he was not aware that there was a man in the country more free from the slightest treasonable feeling than himself. It was however plain from this, that the dread of reform was the ground of the measure submitted to them—and for that were the unconstitutional measures of coercion to be resorted to to prevent the people from expressing by petition the grievances of which they had so much cause to complain. He (sir F. B.) was chairman of the Hampden Club—that club now held up as the mother of all treason. It was treason too, as they were told, to corres-

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pond on the subject of reform with persons in other parts of the kingdom. Mr. Pitt had not been of that opinion, when, after the American war, he attempted to excite the whole country in favour of parliamentary reform. Mr. Pitt, in a declaration, which had perhaps some influence on his (Sir F. B.'s) mind, foretold, that without a reform in parliament the country had no security against wars more profligate than that which had been then concluded (though he did not foresee that he was to carry the system of corruption to a higher pitch than it had ever before attained), and by arguments unanswered and unanswerable, showed the necessity of the measure, for which the clubs, now stigmatised as traitorous, continued to contend. The object of the friends of corruption was, to excite the selfish feelings of men of property, and to urge them to rally round the government to defend it against the people—and they were told that a hatred was excited amongst the people towards the privileged orders. He knew of no privileged orders but the House of Peers, in which no persons except the Spenceans, had ever wished to make any change. All other classes were the commons—all were equal in the eye of the law—and against all equally was the system of corruption directed, and for none of them was there any security, but by a reform in parliament. It appeared also that he (sir Francis Burdett), though, until he was reminded of it, he had forgotten it, had been a member of a Union Society.—That body had only, it appeared, uttered one address, and had expired, and on this account also he was branded as a traitor and conspirator by the noble lord, whereas he (sir F. B.) accused the noble lord as a subverter of the constitution, as a person detected in practices subversive of it, for which he deserved impeachment, and for which he would have been impeached, had not the notorious extensiveness of the crime extenuated his personal criminality. The noble lord had done more to bring into hatred and contempt the constitution, than all the clubs, whether Hampden or Spencean, and all the trash which the committee had raked together. The noble lord (he meant no personal imputation on him) was an old offender. He (sir F. B.) warned the House to pause before it crossed the threshold, which led to the fatal course which the Irish House of Commons once pursued. The same

bloody track which the noble lord marked out in Ireland they must follow, if they once abandoned the constitution. The transactions in that country were deeply engraven on the memory of every man. They were matter of history, horrible as they were to relate. The scenes which passed were terrible; they curdled the blood; he was afraid to describe them, lest the effect of the description might be, to lead to violence. Scenes such as those, though the noble lord referred to them with as much calmness as if he had been taking a cup of tea, would remain a stain in English history! He warned the House against suffering itself to be led into the same path. The noble lord had been not only a retail dealer in seats in parliament in England, but he had sold the Irish parliament by wholesale. He rendered it so odious to the House of Commons, so odious to the Irish people, that they were anxious to get rid of its parliament altogether, and the noble lord then turned round and advised it to do one act of justice, by committing suicide. It was in vain to deny it. He had heard with his own ears the speaker of the Irish House of Commons offer to prove at the bar. Adverting to the report of the secret committee, it appeared to him that the words in which the treasonable plots were described were extremely loose, vague, and indefinite. Those plots were said to be confined to the lower classes. Few, if any, it was said, of the higher classes were engaged. Few, if any!—were there any? If there were, why were they not named? What right had the committee to insinuate a charge which it could not substantiate? Of the committee, from their report, he could not judge favourably, though it contained some names which he respected. Some gentlemen were chosen from that side of the House it was true, but without meaning any disrespect to them, he would say that they were notorious alarmists. It was not long ago that a noble lord who was one of them declared that he never heard reform mentioned without its shaking every nerve in his body. Like Dame Quickly, who could bear cheaters, but not swaggerers, he shook, "an twere any aspen leaf," at the very idea of reform. To a committee thus composed he could not give sufficient credit, to deliver up every man in England to an absolute and unconstitutional power. One of the stories of the Union Society had been laid great stress

upon in another report, but had been left out in the report of the Commons. A petition had been presented on that subject to another place, in which the secretary of that society had offered to disprove the report of the House of Lords. By not making this story a part of their report, the committee of the House of Commons, it seemed, did not support the report of the lords. He suspected that if the whole report were investigated, and proper persons examined, it would be found to be equally without foundation. It was curious to perceive how, in all tyrannical governments, their transactions were carried on in the same way. They might be tempted to ask of the plots now presented to them, as had been said under one of the Roman emperors—

Quo cecidit sub crimine? quisnam Delator? Quibus indicis? Quo teste probavit? Nil horum. Verbosa et grandis epistola venit.

It was said in the report, that the traitorous associations were confined to a few individuals, and to particular districts. It would be better then, if any law must be passed, to have some special law to confine the particular persons alluded to, to keep them in bondage till the alarm had subsided, or till the purposes for which the alarm had been excited by the noble lord were answered, than to deprive the whole kingdom of the benefits of the constitution. One of the measures proposed was for the protection of the Regent's person. He agreed, that all the protection which the law afforded to the king should be extended to the Regent—but he saw no reason why the alterations which had been made in 1795 in the old treason laws should have taken place. The laws said, that when so mighty a power as the government was raised against an individual, it was proper he should be fenced round by peculiar protections. The effect of that alteration in the laws was, to take away these protections, and he could not therefore approve of it. Another of the measures was a gagging bill. As the object of these measures was to secure the parliament against reform—he thought it would be better if the attempt to reform the House were at once declared treason. They should then know whether they were freemen or slaves. In the mean time, he should do his duty, and take every step which he deemed conducive to that desirable end—a reform in the House of Commons, without which, he believed in his conscience there could

not much longer be a security either for person or for property in this country.

Mr. *Elliot* said, it was with great reluctance he consented to trouble the House on the present occasion, and he trusted he should experience their indulgence for a few words, as exhibiting the reasons for his conduct on measures, which he should be sorry that the House should rashly embark in without a consideration of their necessity. He should not answer the speech of the hon. baronet, which contained not the strict argument and deep reflection which the subject demanded, but a declamation against the tenor of the proposed measures, as measures hostile to the constitution. But when it was conceded to the hon. baronet that they were hostile to the constitution, they were not much advanced in the consideration of them. The measures were not proposed as speculative improvements on the theory of our constitution, but as essentially necessary to its safety. The House might be in that condition too often incident to human affairs, that of choosing between difficulties. When a part of the community were perverting the constitution to its destruction, it was to be considered whether a temporary suspension of a portion of our privileges might not be necessary to the permanent security of the whole. It was purely a question of danger; whether it was such as would justify the adoption of such a law. On one point he differed from his right hon. friend; and that was as to the extent and the magnitude of the danger. Certainly if there existed a regular defined plot, with arms and leaders ready to break forth—indubitably it was a question not for parliament but for the field. That would be at once a state of civil contest; but it was against the approach of such a crisis that they were now called on to provide. The nature of the present danger was this—there was a systematic attempt to corrupt morally and politically the lower orders of the people. By some the lower orders were treated with contempt; but to alienate the physical force of a country from the moral to separate the population of a country from its establishments was indeed a matter of no small moment. So divided, the people would be in a condition to become the instruments of any agitators, and such persons were to be found in such times and in all countries. This was the object of the present efforts—the means were by immoral and blasphemous publi-

cations.—by associations—some declaring openly for the overthrow of society and property, others with plans of wild and visionary reform as their guise. Among the reformers indubitably there were many respectable and worthy men; but many of the societies made reform a cover and an instrument for the most mischievous and criminal projects. It was said that they had not attacked any branch of the constitution but that House. Why? because they well knew that if they once overcame that House, the aristocracy would be as dust and chaff before them. It was said that these societies were nothing, because they were of a partial nature; but their effect would be measured when their union and combination were weighed. Let any one consider in his own neighbourhood. Manchester for instance, the effect of a society of the lowest of the people meeting for discussions on the foundations of government and society, the extent of obedience due to the civil power, and meeting the most delicate questions on resistance or submission; and suppose another society at some distance corresponding with it, and entering into its designs; would there not be reason for apprehending danger? This was the real state of the case. There were several combinations over the country, some of them of a malignant nature; arms had been provided the soldiers had been tampered with; and would any man tell him that there was no danger?—danger that struck at the root of social order; danger that required the strongest measures to repress it? He therefore concurred with his right hon. friend as far as he went, and was disposed to go farther, and to yield that power into the hands of ministers which his right hon. friend seemed disposed to deny them. Not that he in ordinary cases would give up his personal liberty or that of the country into the hands of any ministers, especially ministers in whom he had never reposed much confidence, if he did not believe in his conscience that there were strong grounds for the measure. He did so, however, to protect the people from themselves, to preserve that grand and generous system under which they enjoyed a degree of happiness and liberty never before enjoyed by any other nation. Nor in saying this did he libel the people of England, for, with respect to the great body of them he was convinced that, whatever arts might be employed to distract and delude them,

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the constitution under which they lived was still deeply engraved on their hearts and cherished in their affections. But though the great body of the people was sound, those who were acquainted with history had not to learn that active minorities had often overthrown great empires. It was for the eventual protection of the people and of their liberties that he should now consent to grant to the crown extraordinary powers; for if at present, when there were so many manufacturers without work, so many discharged sailors and soldiers, and such a mass of general and irritating distress, the means of inflammation were not crushed, it might be afterwards necessary to put such a power into the hands of government as would amount to despotic sway. The hon. baronet had observed that the persons who had been chosen on the committee from that side of the House were alarmists. He had so often been thus designated, that it had become a sort of *argumentum ad hominem*. He confessed that on the subject alluded to he had for 25 years entertained the same sentiments. He therefore allowed, that he might have a prejudice in favour of opinions that had flowed in a perpetual current through his mind for so long a period; but if the proposition was true, as applied to him on one side, might not a proposition of a contrary nature apply to the hon. baronet on the other? If he had seen dangers where there were none, had not others seen none where they really existed? and while he was accused of being too sensible to fear, might he not advise others to take care that they were not too confident of security?

Mr. Lamb denied, that the report was what it was called, a libel on the people of England. It took the utmost care to distinguish between the sound part of the people and the incendiaries; between those who endeavoured to delude them, and the more worthy part of them, who had not been misled or excited. The hon. baronet had called him and the other members of the committee notorious alarmists. Thus, to use nick-names, was, he thought, not just, not wise, not parliamentary, not gentlemanly.

Mr. Bennet rose to order. To say that the conduct of another member was not gentlemanly, was not, he conceived, consistent with the order of the House.

Mr. Lamb corrected himself, and observed, that if this language was not con-

sistent with the usage of parliament, he would then say, that the hon. baronet's expressions were not in accordance with his usual good taste. If he were to retort upon the hon. baronet, and call him, in return for notorious alarmist, a notorious jacobin, it would not be decent or parliamentary; and yet there might be as much reason for this charge on the hon. baronet as for that which the hon. baronet had brought forward against others. The hon. baronet had alluded, not very properly, to a noble friend of his on a former debate, but he had entirely mistaken his meaning. He would not attribute motives to any one; but without meaning any thing disrespectful to the hon. baronet, he might say, that to censure as the hon. baronet had done, and to deal about general imputations and insinuations, required, in order to justify it, a degree of talent, of wisdom, and of purity, which, with all his wishes to think well of the hon. baronet, he could never recognize him to possess. With respect to the report he would say, that he firmly believed the truth of its facts, and the justness of its inferences. It was founded on the best evidence that could be procured; and was very much qualified in the mode of its expression. There appeared to the committee to be danger, and danger of the most alarming kind. The danger arose from clubs determined to carry their objects by physical force. It was not the Spencean plan that appeared on paper, with all its absurdities about it; but it was a general system of combination, cruelly oppressive in many cases, and highly detrimental to the interests of the country. Many had relied on the absurdity of the Spencean plan as destructive of its danger; but he was afraid he could not pay so high a compliment to the people in this or in any other country, as to suppose that the absurdity of a project, if the end seemed desirable, was a sufficient argument against any attempt to realize it. It was certainly wild and visionary, if viewed in all its parts; but its commencement in plunder might not be so objectionable to its adherents. It might be said of it, as was said of reform, that once begun, the extent of the proceeding could not be anticipated. Some persons would go the length of Brentford, and others would pass on to Windsor. So the Spenceans might seize the property of the country, and wrest it from its present possessors, whatever might afterwards become of them or it. When the Spenceans got

the estates, they might imitate Napoleon, who, when he was advised not to enter the palace of the Thuilleries before his coronation as emperor, exclaimed, "I will enter it to-morrow, and I shall not go out so easily as the last inhabitant."

Sir F. Burdett explained. He did not mean alarmist in a bad sense; but jacobin could not be used in a good one, as it generally passed for cut-throat.

Lord Milton, in explanation of his meaning on a former debate, said, that he used the expression about reform touching a chord that vibrated without his control, not for the purpose of declaring that he was alarmed at reform, but for stating that it was a subject on which he was almost always disposed to speak long, and in delivering his sentiments on which he might be tedious to the House.

Sir S. Romilly wished the House to consider the subject maturely before it adopted the measures proposed. What was the nature of those measures which were intended to be taken? It ought to be shown in what way the new remedy was to be applied. He was not disposed to underrate the evils of the country, or the dangers that arose out of them. He felt that the evils were great, and the dangers formidable. When he so spoke, it became him to say what he meant. These dangers, then, did not appear to him to threaten the constitution. The persons mentioned in the report were too insignificant; they could not carry their designs into execution. The danger appeared to him to threaten individuals. His right hon. friend had not succeeded in proving to him the necessity of suspending the Habeas Corpus act, nor had the noble lord shown the necessity of his other measures. There was great danger of rashness in legislating; and if there had been a due consideration of what the law was as it at present existed, and how far government had endeavoured to carry it into execution, he was convinced that the committee would not have recommended any change. The noble lord was mistaken in his speech in supposing that no law existed against secret meetings. There were strong, efficacious, and severe enactments against such seditious or secret meetings, against societies that took oaths, against societies that corresponded or had an interchange of delegates, against societies that required contributions of money: and all persons who were found guilty were liable to transportation for seven

years. All these clauses were embodied in 39th of the King, c. 79, which was still in force. The hon. and learned gent. read the act itself, which he said was still the law of the land, and sufficient to suppress all dangerous clubs, societies, or meetings. The clause against debating societies had dropped out of this act by the expiration of 36th of the King, from which it was adopted, but every other part of it yet remained in force. How was it that these societies had been thus allowed to grow up when government had such means of suppression in the act in question? The concluding paragraph of the report "that the utmost vigilance of government, under the existing laws, was found inadequate to the dangers," was very remarkable, and showed that the committee were not aware of this act, or did not know what efforts government had used. If these laws were not effectual, what could be effectual? What steps had been taken by ministers to enforce them? The only other part of the report referred to blasphemous and seditious libels. It should be known here likewise, how far existing laws had been enforced before new powers were claimed. If the noble lord thought the present law was inefficacious, he certainly proceeded upon an uninformed and a narrow view of the subject. Punishment for a second offence in publishing libels was very severe. Why had not prosecutions taken place for a first offence, so as to lay the foundation of a punishment for a second, if it should be repeated before a new law was claimed for a severe visitation on a first? He did not urge extreme proceedings in enforcing laws, but he thought their whole extent should be tried before the legislature was called upon to make new statutes. An extreme desire to procure conviction might be hurtful, as in a case at the Old Bailey, where a person (Watson) was put on his trial capitally for an offence of which, on the statement of the case to the learned judge, he was acquitted; and from this circumstance, although his crime was great, the sympathy of the spectators exhibited itself in a kind of indiscreet triumph. There might be too much severity as well as too much relaxation in the execution of these laws; but it was necessary to know whether every thing had been done that might prove effectual, before they were declared ineffectual. It was taking away from the subject the benefit of the Habeas Corpus act and trial by jury, for an abuse which was only presumed or al-

leged. It was destructive of that part of the constitution which we were bound most anxiously to guard, and which, in his opinion, if parted with without proofs of its absolute necessity, would be an abuse of the trust committed to that House, for which they would be unable to justify themselves to their constituents. He had no doubt that there were many persons who were labouring to degrade his majesty's government, but the House should take care to show the people that they were no parties in the object; and that they were most anxious to preserve those great bulwarks of their liberties, the Habeas Corpus act, and the trial by jury.

The *Attorney-General* entirely concurred in the opinion, that the more convenient opportunity for discussing the subject would be when the bills were on the table. He could assure his hon. and learned friend, that it was with great reluctance that his majesty's government proposed any measures of additional severity. The act to which his hon. and learned friend had alluded would still remain in force; but it was necessary to introduce the one proposed, because there were persons who engaged in practices that ought to render them liable to punishment; but who, by studying the enactments of the act in question, were enabled to keep clear of it, and defeat its object. It was therefore necessary to have a new mode of describing its operation. In answer to his hon. and learned friend, as to what had been done under that statute, he could say, that government had been long and anxiously looking to the subject; and that they possessed information of all the mischievous proceedings of the different societies. He agreed with his hon. and learned friend, that there was not to be apprehended any danger of the destruction of the constitution of this mighty empire from such proceedings; but that, in the protection of that constitution we might be under the necessity of witnessing scenes of bloodshed and plunder, unless the laws were made more adequate to prevent them. With respect to prosecutions against societies, since he had been in office, there had been none; not that he had been unaware of the existence and objects of these societies, but that he felt he had not evidence, as the law stood at present, to prosecute them to conviction. He should wish that he might not have occasion to be called on to do any thing against them in his official capacity; but he was not unprepared to

state the ground on which it was intended to alter the act. With respect to prosecutions for libels, he was glad to have an opportunity of explaining himself: it was a point on which, he was sure, every member of the House must desire to have information. Having seen the most offensive, mischievous, blasphemous, and demoralising tracts and pamphlets, he had no hesitation to say, that in the exercise of sound discretion, a number of those publications had been passed by without legal notice. He knew not whether he should be able to justify himself; but his rule had been to institute as few prosecutions as possible: for it should be recollected, that his majesty's law officers did not stand now in the same situation as that in which their predecessors did. If prosecutions were to be instituted for all the blasphemous, wicked, and seditious libels that were sent to him by magistrates and others, one law officer of the crown would not be sufficient to prosecute one-twentieth part of them. He would venture to assure gentlemen, that if a cart load of these infamous publications were to be examined, any gentleman not a lawyer might say, "this is a blasphemous, and that a seditious libel;" but if he were to attend a consultation, he would go out of it fully convinced, that so adroitly were the libels formed, that with the joint assistance of the best legal advice, it would be deemed scarcely possible to bring the libellers to conviction. Even children of tender years were employed by the Spencean meetings to deliver their publications, against whom any steps that might be taken would be deemed an infringement on the liberties of the people. But let it not be supposed that on account of this forbearance no libels had been found that were actionable. So far from it, he could state, that there were prosecutions now carrying on, and he really did hope to be able to bring some eminent delinquents to justice, or at least he would bring them before a jury of their country. Some of the blasphemous publications on our liturgy and the sacred scriptures had so lately appeared, that it was quite impossible to do it sooner; nevertheless, he would rather sin on the side of doing too little, than be accused of running down his majesty's subjects by *ex-officio* prosecutions. The right hon. and learned gentleman then entered into an explanation of the case of the elder Watson, alluded to by Sir S. Romilly, in order to show that the official proceeding against him was

strictly conformable to law; and could not have been conducted otherwise. After the information given before the magistrates, and after the grand jury had found a true bill, it was absolutely necessary to bring him to trial on the charge for which he was indicted. It was his firm belief, that the prosecutions for seditious and blasphemous libels were by no means so many as the sound part of the people would wish, but he maintained that the existing laws did not afford the means of effecting this highly desirable object.

The *Solicitor-General* observed, that the report was not confined to the proceedings of one description of societies, but described an evil resulting from a combination of causes, for which the law at present furnished no adequate provision. There was undoubtedly a law for the punishment of riots. But there was none at present to prevent them. He knew of no provision made by any statute that could be applied to these societies, which acted independently of each other, though upon principles common to all, and assuming even the same denomination. Had his hon. and learned friend looked into the 39th of the King, cap. 79, with his usual accuracy, he must have seen, that those associations to which he had referred were not within its meaning; and his own opinion was, that they had been organized for the purpose of evading it. The object of the act was certainly to prevent unlawful confederacies, but it did not extend to societies which communicated with each other by delegates at public meetings, and this was an omission in that act. The new bill was intended to make such societies as had delegates illegal, which the law, as it at present stood, did not. It appeared, therefore, to him, that his hon. and learned friend had mistaken the nature of the measure.

Mr. *Brougham* declared, that although suffering under severe indisposition, yet having listened to the noble lord's new plan of legislative measures, and the conversation to which their disclosure had given rise, after hearing the concessions made by his right hon. friend, natural perhaps to him as one of the committee upon whose report these measures were founded, he must express a very material difference of opinion from his right hon. friend; to whom however he was persuaded no one could impute to him the intention of showing the slightest disrespect. That diversity of sentiment which it must always

give him pain to entertain might proceed from his ignorance of the evidence, from his being compelled to look at the report, and the report only; and if that should appear not satisfactory, the necessity he was under of opposing the practical result, which was no other than a suspension of the British constitution. There were some circumstances, certainly, which tended to make him a little inquisitive, as to the grounds upon which the report was framed, and one of these was, a remarkable difference between the conclusions to which two of his right hon. friends, who concurred in that report, had come, and which had been stated to the House; the one thinking that the evidence did not call for a temporary repeal of the Habeas Corpus act, and the other thinking that it did. This appeared to him a very important difference, because it showed that those who alone had access to a knowledge of the evidence, upon whose report they were to act without further inquiry, did not agree in the same conclusions. This difference must proceed from different views of the extent and amount of the danger, which was in fact the whole substance of the question. He knew not, then, how to estimate the magnitude of that danger, when he found two such distinguished and enlightened members of the committee opposed to each other *toto cælo* with regard to the measures necessary for repelling it. Another ground for the suspicions he entertained was, that although the existing laws were stated to be insufficient, it did not appear that the committee had satisfied themselves whether the utmost vigilance of government had been exerted in enforcing them. On the face of the report itself, many things appeared calculated to destroy its effect. Let the House advert, in the first place, to that passage in which the most scrupulous care might have been expected, that in which reference was made to the degree to which treasonable attempts had been traced upwards in society. To this point public attention had been naturally directed; every man was anxious to learn who and what were the conspirators; but the report, instead of satisfying this curiosity, merely informed them, that "a few only" of the higher orders, or even of the middle classes of society, were engaged. If the committee had meant any thing by these expressions, it was incumbent upon them to have spoken out, to have declared their meaning explicitly, and not to have

launched these charges, or rather these insinuations, vaguely and indirectly, when they called upon the House to pay down their constitutional rights by instalments, to submit to a gagging bill to-day, to the punishment of libel by transportation to-morrow, and to a total suspension of the constitution on the day after. Required, as they were, to give unlimited credence, their entire faith, to the accuracy and justness of their report without being permitted to know the evidence on which the committee had proceeded it was to be lamented that any part of that report should be of a vague and unsatisfactory nature. When he considered the very small extent to which actual insurrection had gone, and the smallness of the means by which it had been proposed to maintain it, it did appear marvellous to him, that twenty-one hon. gentlemen should upon such evidence gravely require the assent of the House to the danger arising from the absurd and visionary speculations of the writer named Spence; because some foolish individuals who had adopted his absurd principles had met at Spa-fields with a numerous body of persons in distress, and because it was said that a plan was in agitation to proceed from thence to pillage the bank, after which their military ardour was to lead them a step farther, to attack the Tower, and take it by a *coup de main*, without having any thing like guns, though a man had certainly ordered a few hundred pike-heads to be made. But it was scarcely possible that any body could believe such an absurdity, as that these persons, unarmed, and without a single sapper or miner amongst them, were to proceed to destroy the bridges. Without having been in any of those battles which had immortalized the duke of Wellington and his soldiers, he did think he had sufficient knowledge of engineering to declare that the story was made a little too strong for credibility, when it was said that with such means the Spenceans were to destroy those immense piles of architecture which connected both sides of the river. It appeared that gentlemen had entered on the subject of the report with a sort of impression that there was very great practical danger all over the country. He would not deny that the utmost vigilance was necessary to meet the discontent of the people, who were at this moment in a state of unparalleled distress from being thrown out of employment at the conclusion of the war. There were also, he

readily believed, a few mischievous persons willing to avail themselves of that discontent for their own private and wicked purposes. But before new laws were enacted it was worth inquiring whether the constitution, as it now stood, was not sufficient to meet the evil, and whether the executive government was not armed with adequate power, considering also the civil and the military police at its disposal, to ward of a danger even much greater than this? In support of this conclusion he need refer only to the conduct of ministers themselves, in order to see whether the danger was real or imaginary, and the alarm professed at it genuine or pretended. His opinion was, at least, that they wished to make the most of it; for they had advised a farther prorogation of parliament at the latter end of last November, when these same disorderly meetings were taking place in the metropolis; and when, to use the language of the report, the rioters "had assumed the symbols of the French revolution." Tri-colored flags seemed indeed to be great engines with the Spenceans, and one of their best matured schemes was to encourage the manufacture of ribands of three colours. One would have thought that the wearing of so visible a badge was not the surest bond of any criminal combination; and when he saw observations of this sort mixed up with statements of a design to blow up bridges, and to take fortresses, with no more ammunition than had been found in an old stocking, and which had exploded therein, he could not help regarding it as rather a strange production, and not likely to obtain the greatest degree of credit. An hon. friend of his, who always spoke with great force upon every subject, had observed, that they ought not rashly to despise doctrines because they were absurd, or were entertained only by obscure persons: but it might also be added, that the more absurd an opinion was, the more easy it must be to explode it, and the shorter must be its probable duration. Many were the absurdities which by persecution were forced into reputation, and many the men established as martyrs who would otherwise have been the laughing-stocks of society. No doctrine that ever had been promulgated was more likely, from its monstrous extravagance, to die a natural death, than that of taking away men's property, and doling it out to parishes for the purpose of again equally dividing it among the community. But

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even a doctrine as ridiculous as this might possibly be magnified into importance by persecuting the miserable enthusiasts who professed it. There was indeed another class of Spenceans, whose object was pillage of a less philosophical kind, who prowled about the highways, and sometimes frequented public places in the shape of pickpockets, and with regard to whom it would be quite sufficient to hand them over to his learned friend the attorney-general. Mr. Spence, the visionary author of the new system, lived 20 years ago, and published his opinions in the most miserable prose that ever issued from the press; but that they might not lose their effect, they had been dramatized, and turned into poetry, and the person who had so metamorphosed them, had had his labours rewarded by a pension! It was rather singular that the attorney-general should have slumbered over the works of the poetical gentleman (the present poet laureat), who, twenty years ago, preached up in verse the universal destruction of all property and laws, the church, the bishops, as useless lumber, &c. while the poor prose writers should be singled out for prosecution. His argument was, that if doctrines were dangerous, application should be made to the law for a remedy; for when had it ceased to be a crime to publish or to utter sedition? So long as the Spenceans dwelt on their reasoning, he would abstain from all interference with them, but the provisions of the 37th and 39th of the king furnished ample security against the danger of seeing their schemes put in execution. The noble lord had greatly mistaken the law as it stood, when he supposed that the last-mentioned statute had become inoperative. He admitted, that if the 36th could not apply to attempts against the person of the Regent, it would be right to adopt some measure for the purpose of extending it to that point. With regard to the difficulty of trying persons for treasons of this particular kind under the statutes of William and of Queen Anne, that difficulty was greatly removed by the 39th and 40th of the king. Having now adverted to the carelessness that appeared to him to preside over the report, he begged permission to refer to an insinuation thrown out by the noble lord, which was much worse than a direct charge, but by which, he conceived, he meant neither more nor less than that some members of that House, in the discharge of their public

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duty, gave countenance and encouragement to the disaffection of the multitude out of doors. He believed that one half of this insinuation was a blunder; for after having admitted that they had done nothing which could cause them to be brought to the bar of their country, the noble lord added that such persons were responsible for their conduct in the eyes of God and man! Now the result of such an insinuation or charge was, that if he (Mr. B.) in the discharge of his duty, adopted a particular line of conduct, and if those persons (the reformers) out of doors, chose to look to him for protection and support, that he was responsible in the eyes of God and man, not for what really was his conduct, but for what they would wish it to be. He would tell the noble lord that they who discharged their duty were not responsible for the acts of other men. Such a hint would be received by them with perfect indifference, and would pass innocuous over their heads. When the power which the suspension of the Habeas Corpus act and the trial by jury would give to any ministers, was considered, it would become the House to pause well before they consented to arm such ministers as the present with powers that might be devoted to the worst of party purposes. It was impossible not to believe that this measure did not originate in party motives, and that its object, was to distract and divide the political opponents of the present administration. But he would tell the noble lord that the hope was vain, for the attention of the people was not to be diverted from those salutary and necessary objects, retrenchment and reduction, and finally a reform in the representation of the people. Whatever might be the fate of the bill, the noble lord would find that as soon as it was got rid of, the House would immediately take up the last motion, that on the lords of the admiralty, from which its attention had been diverted. Before he sat down, he could not help saying a word or two on the case of the unfortunate persons in the Tower. If this act were to pass, it would be impossible to say whether they would be tried or not; but if it did not pass, he trusted that every person, whether in that House or out of doors, whose duty might cause him to be connected with those trials, would allow no influence whatever to operate upon his mind, in consequence of what had occurred, any more than if the names of

those unfortunate persons had never been mentioned. With respect to the bill, hoping that it would prove to be only intended to remedy some trifling defect in the existing law, he hoped the House would concur with the noble lord, and agree to its being brought in, that its nature might be fairly examined.

Lord *Cochrane* said, that if the people of England were to be denied a trial by their peers, if they were to be deprived of their just rights under the constitution, on no better grounds than those laid down in the report of the committee, he considered the course adopted to be illegal and unfair. It was said that advantage had been taken of the existing distress, in order to bring forward plans for the subversion of the constitution. He knew of no plan but that of the Spenceans which had been particularly brought forward, and pressed on public attention, at this period. The projects of those persons who wished for a reform in parliament, had been persevered in for a very long period, and those who supported them could not, in fairness, be accused of acting a part hostile to the constitution of their country. If the bills now about to be brought in should be passed into laws, the people, deprived of the means of meeting peaceably, as they had been accustomed to do, to petition for relief from their grievances, would have no resource but an appeal to physical force—which God forbid should ever be attempted in this country; or that tacit resistance which they might have it in their power to offer, by withholding those taxes which it might be attempted to draw from their pockets—[Cries of "Order"].

The *Speaker* said, the noble lord was decidedly out of order. It could never be endured in that House that any member should hold language which went directly to encourage the people to disobey the law.

Lord *Cochrane* declared, that nothing was farther from his intention than to advise the people to offer any active resistance to the laws. He only wished them to adopt the passive conduct of the quietest people in the world—the Quakers. All he desired was, that those supplies should be kept from getting to the throne, which enabled the throne to subvert the liberties of the people. The Spencean plans he described to be the most absurd and the most wicked that could be imagined, as they went not to divide, but to confiscate property. He, however, considered the

government to have acted on the Spencean principles in their administration, and to have deprived the people of their property almost as effectually as the Spenceans could do. It would better become ministers to endeavour to relieve the sufferers, than to subject them to new pains and penalties, by bringing in these bills. When the distress was so great, that it was impossible for the attorney-general to proceed against all those who expressed their discontent, it might be very convenient for ministers to have the power of holding in prison all who became obnoxious to them; but if this power were given to them, the country would be reduced to a state of degradation, known hitherto but in foreign lands. He could see no reason for the suspension of the Habeas Corpus act. If this measure were resorted to, the situation of this country would be worse than that of Spain and Portugal, of which, at different times, so much had been said, as instead of one despot, the people of England would lie at the mercy of fifty, or five hundred, or a thousand. They would be in the hands of the police, and the character of the police of this country was now pretty well known. He hoped the House would pause before they gave ministers the powers they demanded, as he denied that any serious disaffection had been manifested. What had as yet transpired, he was of opinion, appeared to be no more than the result of momentary irritation. Instead of bringing in these bills, he thought the best way of quieting the people would be to abolish all sinecure places, to reduce the military establishments, and to give them a fair representation in parliament.

Mr. Canning rose and said:—

It has often been remarked, Sir, that no creed is so extravagant as the creed of unbelief;—that those who are the most incredulous themselves are apt to draw most largely on the credulity of others: but never in my life have I seen this so strongly exemplified as in the present debate by the argument of some of the hon. gentlemen opposite. They utterly disbelieve all that has been reported to the House by the Secret Committee,—a Committee comprehending friends of their own who were unanimous in giving their sanction to that Report: and they call upon the House, instead of placing credit in the report so framed and so sanctioned, to adopt the extravagant fiction—that all the

matter of the report was a plot invented by Ministers.

The object of this ingenious and diabolical invention, it seems, was to defeat the efforts of the mighty phalanx which is combined to investigate our conduct, and drive us from our seats. And for this purpose we have, it is supposed, gone through the following elaborate but compendious system of operations. We have first devised or resuscitated a set of extravagant and pernicious principles, hostile alike to the peace of nations and to the welfare of mankind, which we have caused to be circulated throughout the country, and particularly throughout the distressed and suffering parts of it. We have next selected a certain number of desperate but trustworthy incendiaries to act upon these principles, to the full extent of direct physical resistance and rebellion—risking their own lives, but keeping our counsel all the time. Next, so secure have we felt in the framing and jointing of our conspiracy against ourselves,—so confident that nothing would appear that should betray the secret of its fabrication,—that we have ventured to submit it to the inspection of a Secret Committee, composed, as I have stated, and as we all know that Committee to have been; and so entirely has the event justified our confidence, that we have been enabled to procure a Report—an unanimous Report—from that Committee, affirming the existence of the plot, but without a hint at the suspiciousness of its origin. Why, Sir, all this sounds very foolish: and it is so. But it is the creed, real or pretended, of those who say that the plot is the plot of Ministers: and it is, as I have said, the ordinary course of those who hardly deny what, according to all fair rules of evidence, they cannot avoid believing, to take refuge in some extravagant hypothesis, by which, the most implicit credulity would be staggered.

But there is another sense in which the Government are held responsible for the plot, and another charge which we are required to answer. It is said to be very extraordinary that, as appears from the Report of the Committee, Government had information of some of the proceedings which are the subject of it, in the month of November:—and that yet, notwithstanding this information, they advised the Prince Regent to prorogue the Parliament till January. What is there extraordinary in this? Though certain circumstances connected with the subject of the Report, had come to the knowledge of

Ministers in the month of November; yet does it appear that at that period the designs of the conspirators wore that alarming aspect which they assumed in subsequent stages? Does it appear on the face of the Report, that up to the first, or even the second Meeting at Spa-fields, Ministers had reason to believe that those who took the most prominent part at those Meetings, were engaged in a plan for the subversion of the state? For aught that was *then* brought to the knowledge of Government, the real plotters and leaders of the conspiracy might then have been as little prepared to attempt an insurrection, as that unhappy man whose petition has this day been laid on the table;* and who, it should seem, mounted the temporary rostrum prepared for him, in the innocence and vanity of his heart; and only intending to make *a splash*, unconsciously forwarded the views of rebellion.

The members of the Government, like every other individual in the nation, could not but know that a very strong and alarming inquietude and agitation had been excited in the metropolis and throughout the country. They knew that in a time of public distress certain classes of the people were liable to be operated upon by designing men in a way likely to lead to much practical mischief, and to the misery and ruin of those who were led astray. They knew these things; but with such knowledge, would it have been wise to call the Members of this and the other House of Parliament (composing so considerable a part of the resident gentry of the country), from their homes, where it might reasonably be hoped that their presence would tend most effectually to check the practices of the disaffected, and to watch over and alleviate the distresses of the suffering and honest classes of the community?

Undoubtedly, even after affairs began to assume a more serious aspect,—after information had been received by the Government, which cast back upon the meetings in Spa-fields a deeper shade of criminality than had been originally supposed to belong to them,—there was a great reluctance on the part of Ministers to bring the matter under the cognizance of Parliament;—at least until it had been ascertained whether the existing laws were strong enough to meet the mischief. I am indeed surprised

that there should be a disposition to attribute to us as a crime this reluctance to come to Parliament for extraordinary powers. When it was seen that bad men were labouring to graft sedition on distress, to stimulate want to rebellion, and to make public calamity subservient to proceedings dangerous to the State—to come to Parliament for extraordinary powers was our duty—a painful duty though an indispensable one; but we take no blame to ourselves for having waited, in the first instance, a reasonable time, till other means for averting the evil had been tried and found insufficient.

The honourable gentlemen indeed, object even now to our taking into consideration the propositions which are brought before us, till it shall have been first solemnly decided by the House that the laws already in force are not equal to the circumstances of the times. Surely, Sir, this would be to interpose unnecessary delay in our proceedings. The House will practically decide on that Question this night in deciding on my noble friend's * Motion. If the House are of opinion that the present laws are sufficient, of course they will reject the Motion, and thus declare new ones to be unnecessary. I see no advantage in submitting to the House an abstract Resolution that the laws now in force are inadequate to the suppression of the present mischief. The proposal of new laws shows this to be the opinion of the Government,—the Report upon your table pronounces it as the opinion of your Committee. Those who hold the opposite opinion, will of course mark their dissent from the Committee, and their distrust of the Government, by voting against the present Motion.

One honourable gentleman, while he objects to the measures proposed for meeting the danger, does not go so far as some others have done,—to deny the existence of the danger itself; but he is very angry with the Report for not defining the extent of it. But the hon. gentleman has fallen into a similar error: for, admitting, as he does, the danger to be great, I watched in vain through the whole course of his speech, to hear him set limits to its magnitude, and define that line of demarcation which separates his own opinions from those of his friends in the Committee.—What is the nature of this danger?—Why,

* Mr. Hunt.

* Lord Castlereagh.

Sir, the danger to be apprehended is not to be defined in one word. It is rebellion; but not rebellion only; it is treason; but not treason merely; it is confiscation; but not confiscation within such bounds as have been usually applied to it in the changes of Dynasties, or the Revolutions of States;—it is an aggregate of all these evils; it is all that dreadful variety of sorrow and of suffering which must follow the extinction of loyalty, morality, and religion; which must follow upon the accomplishment of designs tending not only to subvert the Constitution of England, but to overthrow the whole frame of society. Such is the nature and extent of the danger which would attend the success of the projects developed in the Report of the Committee.

But these projects are said to be visionary; they would never have been of importance, it is affirmed, had they not been brought into notice by persecution. Persecution!—Does this character belong to the proceedings instituted against those who had set out on their career in opposition to all law; and who, in their secret cabals, and midnight counsels, and mid-day harangues, have been noting for destruction every individual, and every class of individuals, which may stand in their way? But the schemes of these persons are visionary.—I admit it.—They have lain by these twenty years without being found to produce mischief.—Be it so.—The doctrines when dormant may be harmless enough; and their intrinsic absurdity may make it appear incredible that they should ever be called up into action. But when this incredible resurrection actually takes place; when the votaries of these doctrines actually go forth armed, to exert physical strength in furtherance of them; then it is that I think it time to be on my guard, not against the accomplishment of their plans (that is, I am willing to believe, impracticable), but against the mischiefs which must attend the attempt to accomplish them by force.

I do not impute to the Spenceans that they really wish to partition the whole property of the kingdom;—that they would carry into effect their scheme for an agrarian division of land.—No; but I sincerely believe (and all history teaches that the opinion is not unfounded), that they would labour hard to accomplish the spoliation of its present possessors.—In Rome schemes of agrarian division were often brought forward, and

always found partisans. No man ever apprehended from them an actual division of all landed estates; but every man knew and saw that they furnished matter for seditions which shook the security of the state and the liberties of the people to their foundation.

As to the wild theories of Parliamentary Reform, propagated with so much industry throughout the Country, I am relieved from the necessity of any laborious argument, by the unexpected and almost unqualified concurrence of some of those who are opposed to me in this debate. They have declared their opinion, that if those plans were carried into effect, they must lead to confusion and ruin. I need only ask, therefore,—is there nothing alarming in plans which gentlemen, who make it their boast to be so exclusively friendly to the liberties of the people, think likely to be as ruinous if they are reduced to practice, as they are absurd in theory? Does such a danger require no vigilance,—justify no apprehension,—call for no exertion on the part of the legislative authorities of the state—to meet and put down, not the opinions themselves (an old and idle fallacy) but the practical assertion of those opinions?—It is to check evils so alarming: it is in mercy to those who are engaged in such designs, that the measures now called for are required;—in the hope that they may cut short the mischief in its career, recall the wavering, restrain the half-resolved, and avert, even in the case of the guilty deluders themselves, the necessity of having recourse to the last extremity of punishment.

It is not desired of the House that it should enable Ministers to wield at their pleasure an unconstitutional authority; an authority with which, any man who could wish wantonly to possess it, must be utterly unworthy to be entrusted. The Executive Government do not ask for these additional powers as a boon (God knows they are no object of desire); but for the due discharge of an embarrassing and distressing duty, we feel bound to receive them as a trust—to support them as a burthen, which we shall most unwillingly carry, and shall most gladly lay down. We ask them—we will accept them—only for the conservation of the public safety. At our own suggestion the duration of the most onerous and delicate part of this trust, is to be limited to a period during which it will be exercised under the immediate

observation of Parliament. Does this look as if our application had in view any object which we fear to describe?

It has been asserted, however, that Ministers call for these powers the better to enable them to make war against the people. We repel the accusation with disdain. We ask them *for the people*—for the protection of that sound and sober majority of the nation—for that bulk and body of the community which are truly and legitimately *the people*. How few! how very few, among the millions that make up that aggregate, will ever be subject to the operation of these laws? But these laws are nevertheless necessary (in our consciences we believe them to be so) to protect the many against the few, who fail not to make up in violence what they want in numbers.

For let us not be imposed upon, Sir, by the trite and futile argument that our would-be reformers and revolutionists are but few in number. This may be, and it will be, a consolation when the attempt shall have been suppressed; but it is no security against its success, if we omit to take vigorous measures for its suppression. Experience is all the other way. When was a Revolution effected in any State but by an active and enterprising minority? If ancient times were barren of examples, has not the history of the last five and twenty years sufficiently proved that the disaffected are not to be despised because their number is not preponderating? Can it be forgotten how frequently in the course of the French Revolution the world has seen sanguinary minorities riding in blood over the necks of their prostrate countrymen?

As little should we lay to our souls the flattering hope that the bare absurdity,—the monstrosity of any doctrine is a sufficient security against the attempt to reduce it into practice. The same French Revolution in which the blood-stained few were seen triumphant over the subdued and trembling many, exhibits abundant instances of absurd and incredible theories, reduced into tremendous practice. When atheism was professed in France as a faith,—when it was declared by the National Assembly that “death was an eternal sleep,”—who believed that such impious absurdity could flourish?—Who would not have held up his hands in astonishment, at the folly which feared that the professors of such opinions could make proselytes?—

But what followed? Proselytes *were* made; and a great nation robbed of its religion and its morality, was thus stripped of the armour and of the shield which might have protected her from anarchy and desolation. The “sovereignty of the people” was preached up not as a doctrine of abstract theory only, but as a principle and ground of practical political experiment. Wise and experienced men smiled at the gross delusion. They apprehended little from the attempt to act upon it. But again what followed?—On behalf of the “sovereign people,” and in their name, France saw the whole of the upper orders of society swept from the face of the earth;—that earth deluged with the best blood of the nation; and crimes followed by crimes, in a long train of horrors, which ended at last in an overwhelming but comparatively salutary despotism.

But still it seems there is no great danger in *our* case; for our philosophers want influence, and our desperate revolutionists want leaders: nothing has yet appeared among them but what is insignificant and obscure. Let us not rely too confidently on this ground of security. First of all, names *will* be used,—names *are* used,—without the consent of their owners, to give to the mass of the disaffected the confidence which arises from believing themselves to be highly countenanced, and ably led. Next, although we do not know that any man now exists who has deliberately taken the resolution to come forward and place himself at the head of the conspirators; we must remember that circumstances make men. Is it to be believed that Robespierre had from infancy contemplated the bad eminence to which he attained?—Assuredly, no.—A disposition so fiend-like never came from the hands of nature; or if the principle of it were implanted in the heart, the circumstances of the time alone could have fostered and stimulated it into action. Robespierre grew from crime to crime, and became gradually familiarized with blood. He learned lessons of atrocity from companions over whom his superior energy enabled him to gain ascendancy and controul. And thus it always is that bad men reciprocally corrupt each other, till the aggregate of wickedness to which their minds are finally made up, is such as would, at the first moment of their outset, have startled the fiercest spirit and the hardest imagination among them.

I do not say, therefore, that any man now exists, formed, and trained, and disciplined, to take the lead in the mischievous and malignant plans which are in agitation; but I do say that the training by which such men are to be formed, is in progress, and is well adapted to its end. The first object is to eradicate all sense of religion. Respect for religion once eradicated,—the name of God once erased from the human heart,—it is easy to pour into a heart so void, a spirit of hatred towards its fellow creatures. That this operation is diligently carrying on, will not be doubted by any man who has read but a tenth part of the publications circulated in all parts of the country with a devilish zeal, for the destruction of that religious belief which is the best guard of all human virtue, the best consolation of all human misery. These publications meet the eye in all quarters, wherever there is distress to be aggravated, or discontent to be inflamed. In the nightly councils of the disaffected the discussions upon political subjects are interspersed with digressions into impiety; the overthrow of the State being settled, that of the religious Establishments of the Country is next taken into consideration; and the sportive relaxation of rebellion is in blasphemy.

If then, the Government demands extraordinary powers, I ask, on the other hand, are these or are they not, extraordinary times? Have we—has England—ever seen the like before?—We have had our share in this Country of every species of political dissension;—disputed titles to the crown;—disputed rights in the people;—invasions;—rebellions;—the struggles of rival dynasties;—and civil wars both of politics and of religion. But in all our varieties of agitation and convulsion, were we ever exposed to such pests as these of the present day? In our civil wars, there was enough of violence and of blood. But principle was opposed to principle, and honest and upright men might be found on either side. Republicanism was opposed to monarchy, and Monarchy was overthrown. But the overthrow of Monarchy was not effected for the sake of throwing all Government into confusion: they destroyed not in those days for the sake of destruction alone. In religion, Independency was opposed to Episcopacy, and Independency triumphed. But it was still for *some* form of religion that the contest was carried on: it was not for the destruction of all religious principle; it was not the opposition

of mere *negation*, to God. It was left for the reformers of modern times to endeavour to strip the mind of all reverence for the Deity; in order to prepare the man to become a mere instrument of ruin,—a remorseless agent of evil.

The discipline I have said, is well suited to its purposes; it is our business to take care that the purposes themselves shall not be fulfilled.

Sir, the same sense of duty which has now caused ministers to apply for these Bills, would cause them to apply to Parliament for still greater powers, if they should become necessary; but those which we have asked, we are satisfied will prove sufficient, because we are satisfied that it is only necessary to check the progress of the disaffected for a season, in order that the sound part of the nation may have opportunity to recover and to array themselves,—that the first passive impressions of alarm may be converted into determined confidence, and zealous action. The nation is sound at heart: and when once apprized of the nature of the danger, and secure in the vigilance of the government; we can have no doubt but they will co-operate with the government, and that such co-operation will be effectual for the safety of the state, and for the preservation of all that they hold dear.

Two of the four proposed laws are almost generally approved. The third is not wholly objected to, though gentlemen reserve to themselves the right of criticising it in its passage through the House. It is only the fourth—the suspension of the *Habeas Corpus*—that incurs the unqualified disapprobation of some of the hon. gentlemen on the other side of the House.

The Committee has declared, that the ordinary powers given to the Executive Government by the Constitution, are not sufficient for the crisis. If new powers are denied to them, Ministers will be left to combat with comparatively less effect, the growing boldness of sedition, encouraged and inflamed by the rejection of these propositions. It is the joint obligation of Ministers and of Parliament to preserve the Constitution. Ministers have done all that it was for them to do: what remains is in the hands of this House; and it is for the House to say, whether or not the Constitution shall be guarded by those new outworks which the perils of the times have rendered necessary, against the assaults of furious and desperate men;

—whether that system of law and liberty, under which England has so long flourished in happiness and glory,—in internal tranquillity, and external grandeur,—shall be sacrificed or saved.

The question being then put, that leave be given to bring in a bill for the more effectually preventing seditious meetings and assemblies, the House divided : Yeas, 190 ; Noes, 14.

List of the Minority.

Aubrey, sir John	Russell, lord W.
Brand, T.	Smith, Wm.
Fitzgerald, rt. hon. T.	Tavistock, lord
Fergusson, sir R.	Waldegrave, hon. W.
Folkestone, lord	Webb, Ed.
Gordon, R.	TELLERS.
Hughes, colonel	Bennet, hon. H.
Ossulston, lord	Burdett, sir Francis.
Rancliffe, lord	

Lord Castlereagh then obtained leave to bring in a bill “to revive and make perpetual an act of the 37th year of his present majesty, for the better prevention and punishment of attempts to seduce persons serving in his majesty’s forces by sea or land from their duty and allegiance to his majesty, or to incite them to mutiny or disobedience;” and also a bill “to make perpetual certain parts of an act of the 36th year of his present majesty, for the safety and preservation of his majesty’s person and government against treasonable and seditious practices and attempts, and for the safety and preservation of the person of his royal highness the Prince Regent against treasonable practices and attempts.” The three bills were then brought in and read a first time.

HOUSE OF COMMONS.

Tuesday, February 25.

PETITION OF THE IMPORTERS OF WINE.] Mr. Sharp rose for the purpose of presenting a petition from a body of men so respectable, and involving a question of such importance to the revenue, that he felt it his duty to call the attention of the House to it. It was a petition from the wine merchants of the United Kingdom, praying that the duty on the importation of foreign wines might be diminished. It stated that a similar petition had been presented last session, which had produced no effect; that the wine trade was now almost at the lowest ebb, and if some abatement of the duties was not made, that its total ruin seemed inevitable. The only remedy was, to reduce

the duties on foreign wines to one-half their present amount. If the House had attended to the petition which had been presented last year, he should not now have had the melancholy duty of giving notice that he intended to call the attention of the House to the ruinous state of this trade, and to move for a reduction of the duty, not only on account of the unfortunate petitioners, but on account of the revenue, which was now severely suffering from the pertinacity of his majesty’s ministers with respect to this branch of it.

The Petition was brought up and read, setting forth, “That the petitioners found themselves, in the beginning of the last year, impelled by absolute necessity to make the most urgent appeal to the House, in consequence of the ruinous state to which the wine trade was rapidly approaching; their petition was, however, laid upon the table of the House without any proceeding consequent thereon, through which the petitioners might indulge the reasonable hope of obtaining that relief which they then stated, and as they supposed completely demonstrated could not be delayed without the most serious consequences, as well to the revenue of the country as to themselves individually, and that the petitioners, with the additional information derived since their last application, feel that they should betray the duty they owe to themselves as well as to the public at large, if they did not declare, as the result of their most serious and conscientious reflection, an entire belief that a reduction of one half, instead of one third, of the present duty, as humbly suggested in their former petition, would, under the present circumstances, be a more advisable experiment; the only question, in their estimation, being whether even a greater diminution of the duty on wine would not be a still preferable measure; and that the petitioners cannot conclude without expressing their decided opinion that half the present rate of duty on wine will, if adopted, produce a larger sum to the exchequer than is now derived from this article; but were even this their confident expectation to be eventually disappointed, they are equally sure that a small, or even, abstractedly considered, a large pecuniary deficiency in the revenue on wine, would, when compared with the promotion of other branches of the revenue, and general advancement of the interests of the state, prove to be a mere nominal sacrifice, and consequently

undeserving any serious consideration; and that the petitioners, in consideration of the very urgent nature of the case they have submitted, do humbly pray the House to repeal, with as little delay as the proceedings in parliament will admit of not less than half the amount of the existing duties on foreign wine, and to allow a corresponding drawback, either in money or by debentures, payable with interest at future stated periods, for the stock remaining on hand, and upon which the existing duties have been paid; and to grant such further relief as to the House shall seem meet."

Mr. Warre observed, that a discussion had long been pending between the British and Portuguese governments, respecting two articles in the treaty of 1810. He understood that two points had been pressed by the British government: either the revision of the two articles, or the annulling of the whole treaty, and formation of a second. He requested to be informed by the noble lord opposite whether the Portuguese government concurred in either of these points?

Lord Castlereagh replied, that the question was one which he found it difficult to answer at the moment, in consequence of the complicated nature of the negotiations. He could, however, state, that no progress had been as yet made towards making any alteration in the existing treaty.

Mr. Protheroe spoke in favour of the petition. He had received several communications from his constituents, which confirmed what had been said by the hon. gentleman, as to the stagnation of the wine trade, and the necessity of reducing the duties. He had heard a report, that it was the intention of his majesty's government to diminish these duties, and the report was so prevalent that he hoped it was true.

The Chancellor of the Exchequer said, it was necessary for him to state that any such rumour was not in the least degree countenanced by his majesty's government. For his own part, he never in any degree ceded his opinion, that under the present circumstances of the country, the prayer of this petition could not be complied with. Whatever reason there might be for a reduction of duty on any other article of consumption, certainly it would be agreed that on the article in question the duty ought to be kept up at as high a rate as possible. When the subject in question came to be discussed, he should be prepared to show, that if the prayer of

the petition of last year had been complied with, an irreparable injury to the revenue would have been the consequence.

Mr. Ponsonby was surprised that any rumour could have gone abroad of any intention on the part of ministers to reduce the amount of taxation, as such a measure was altogether hostile to their system. It might, indeed, have been thought that the right hon. gentleman would have desired to have collected an improving revenue, instead of experiencing a diminution in the port of London alone of 338,000*l.*; and he was convinced, that when the returns throughout the entire empire would be examined, the loss in every part would be found proportionably great. This was the more remarkable, as the wine duties had not long since been considerably increased, and exemplified what had been said by Swift, that in the arithmetic of the revenue, "one and one did not always make two." The reduction afforded a convincing proof of the inability of the higher classes of society to consume as much wine as they used to do, and of the country at large to support the present expenditure.

Sir J. Newport stated, that the wine duties in Ireland had increased since 1802, in the proportion of from two to five; while the produce of that branch of revenue was last year less by 200,000*l.* than in 1803.

Sir M. W. Ridley said, that he had that morning received a letter from one of his constituents, requesting him to support this petition, and stating that in the town he had the honour to represent, the wine trade had decreased one-half.

The petition was ordered to lie on the table.

PETITIONS RELATING TO REFORM, &c.] Mr. Calvert presented a petition from the inhabitant householders of the Borough of Southwark, agreed to at a meeting convened by the high bailiff, praying for a return to triennial parliaments, and such other reform in the representation of the people as to the wisdom of parliament should appear to be best calculated to secure the rights and liberties of the people; and praying also for economy and retrenchment.

Mr. Barclay thought that the House would do well to follow up the system of economy and retrenchment recommended in the petition, if it wished to regain the character, which he regretted to say, it

had lost with the country. With respect to triennial parliaments, he thought, however specious in theory, they would be found of no benefit whatever in practice. He hoped the House would not be deterred by any popular clamour from coming to such a decision on this subject as in their judgment they might think most conducive to the interests of the empire.

Mr. Serjeant *Onslow* approved of the petition in so far as regarded retrenchment, but not in so far as it called on the House to go into a committee for the purpose of an inquiry into the reform of the constitution of the House. He never would give his consent to the House going into any such committee till he saw some plan of reform to which he could give his assent. He had paid much attention to the subject of reform, but he had hitherto seen no plan of reform which was not fraught with danger to the liberties of the country.

Mr. *Bennet* presented a petition from Church-Stretton, Salop, in favour of reform. He did not support the doctrine of annual parliaments and universal suffrage, but he would not contend that nobody else should. The spirit of the constitution allowed differences of opinion. Let that which was good be defended, and that which was wrong be defeated by argument. The report of the secret committee threw calumnies on the people of England. He would say, that a more loyal body did not exist than the people of the place whence this petition came.

The petitions were ordered to lie on the table.

WESTMINSTER PETITION RESPECTING THE SUSPENSION OF THE HABEAS CORPUS ACT.] Sir *F. Burdett* rose for the purpose of presenting a petition which had been agreed to at a numerous meeting of the inhabitants of Westminster, held this day in Palace-yard, against the Bill for the Suspension of the Habeas Corpus act. He trusted that if time were given, petitions to the same effect would be presented from every part of the kingdom; and he took that opportunity to protest against the indecent and illegal way in which it was intended to pass this measure through the House. When it was considered that three months had elapsed since the time when this conspiracy was said to have been discovered; that it was three weeks since the committee had been

appointed to inquire into these plots; it would surely be allowed that there was no sufficient reason for hurrying such a bill through the House in one or two days. He wished the House to understand that the petitioners equally disapproved of the other measures embraced in the little despotic code which the noble lord had last night brought before the House, although they had finally fixed their eye on that part of it which related to the suspension of the most distinctive and best rights of Englishmen.—He moved that the petition be brought up.

Lord *Cochrane* said that, with respect to order and propriety, nothing could exceed what had been manifested at the Westminster meeting that day;—the conduct of the inhabitants of Westminster was on that occasion every way unimpeachable, and he had never witnessed any meeting of the citizens of Westminster which was not conducted with regularity and propriety. With regard to the subject of the petition, he must say, that out of the House there was no diversity of opinion as to the intention of a measure originating in that feeling which was attempted to be excited by his majesty's ministers—a feeling, however, which would not influence the people. He hoped and trusted the measure would fail in producing that effect which his majesty's ministers anticipated, namely, the preventing the people from giving free expression to their sentiments. If any thing more than an other would induce the people to express themselves in the strongest manner, it was a suspension like this, founded on a report, without the slightest evidence to support its statements; for in all former cases some evidence had been stated—the two last reports he believed were accompanied by some evidence. Being denied every access to the evidence laid before the committee, he did not see how the House could come to any decision on it. Without imputing any undue influence or any interested motives to the members of the committee (and he was sorry to say, the public mind was impressed with such an unfavourable idea), he hoped he might say thus much without any impropriety, that all men were capable of being deceived by ex-parte evidence. And when he knew that this ex-parte evidence was put into the green bag by those very persons who were interested in creating the alarm, by those who were interested in

the continuance of all existing abuses, in opposing all retrenchment, and the reform of all that corrupt influence whereby members were returned to that House, he thought it could not be too much trusted; and he was convinced he was not going too far, when he said, that the opinion excited by the report without the walls of the House, was not favourable to the decision of the committee. He, for his part, knew of no individuals desirous of subverting any part of the constitution of the country. Whether the Suspension Bill passed or not, was a matter of indifference to him: he should never abstain from going into any meetings or societies whenever he thought proper to do so. He was not a member of the Union Club, and though he was a member of the Hampden Club, he had only attended it once, when there were only three members present. But he should never abstain from going to any of those meetings: he should go to meet any number of his constituents at any time without being deterred by the fear of dungeons or chains, whether the bill passed or not. He had said recently in the House, that the people had no recourse but to refuse to pay taxes. This sentiment had met with the displeasure of the House; but when he saw on the records of the House, in what he was entitled to say were better times than the present, that the members had often felt it their duty when they opposed the measures attempted by ministers, to do so by withholding all supplies; and when he saw, that in our times the House had relinquished that salutary practice, he did not think there was any impropriety in stating, that the House having relinquished the power of withholding supplies, it had reverted to those by whom they were delegated. He entreated the House to pause before they proceeded to make a change in the constitution, greater far than that which they imputed to reformers: for no change in the constitution could be greater than a suspension of the liberties of the country, without any argument to prove the necessity of it. Whether the period of the suspension was long or short—whether it was merely intended to produce an alarm of such a kind as to induce men to rally round his majesty's ministers, though they might not intend to act on the suspension, he should hold it to be his duty, on every occasion, to enter his protest against so mad, and so wicked a measure.

Mr. *Long Wellesley* said, that he had never found one person of respectability in the country, who was not impressed with the danger to the constitution, from the mischievous principles so industriously disseminated among the working classes at the present moment. He had a pretty extensive circle of acquaintance, and he knew no person who did not entertain this opinion. He believed, that if the sense of the country were to be taken on the necessity of a suspension of the Habeas Corpus act, the petitions alluded to by the hon. baronet, would be met by counter petitions from nearly the whole of the more respectable part of society.

Sir *F. Burdett* said, that if, according to the hon. gentleman, there was but one sentiment entertained by the gentlemen of England on the subject which now occupied the attention of the House, he trusted they would meet, that parliament might know it. He should always bow to the decision of the majority of the people of England, however different their sentiments might be from his own. What he complained of was the attempt to suppress the voice of the people. He was astonished that those gentlemen who, from their rank and possessions, were most deeply interested in the prosperity and well-being of the country—those who used formerly to excite a feeling of patriotism in the country up to a very late period indeed, and who guided by their great judgment, their dignified conduct, and their talents, a people who were always anxious to listen to them and to bow to their opinion, even when their reason was not altogether convinced, should have estranged themselves from the people as they had lately done. He was sorry to see the change which had taken place. This country seemed now to be in a situation resembling that of so many countries on the continent. He need only allude to Spain, where it was very remarkable that those persons who had the greatest possessions and the greatest interest and stake in the country, as we called it, in all the great struggles seemed to have acted like the gentlemen of England, to have stood by and allowed others to fight, and to have obeyed every party which had the mastery for the time. The sentiments of a gentleman of the consequence of the hon. member must have much weight with the gentlemen of the country, and he trusted and hoped that it only required this to set them in motion, and to induce

them to act in a more manly and liberal manner than they had lately done.

Mr. *Robinson* asked the hon. baronet how he could possibly think of comparing the gentlemen of this country with those of Spain, as if they were alike in any respect whatever? That the gentlemen of England would sit still and see their country fought for by others, was what he had never heard before, and what he believed to be utterly unfounded. When they were called on to fight, they would always be found in the front of their countrymen. The hon. baronet regretted that all those bonds of union which formerly united them with the people were now broken; but this was a very unfair representation of the case; for if in any part those ties were broken, it was in those parts of the country alone to which the measures referred, and they had not been broken by the gentlemen, but by those who had an interest in breaking all bonds whatever, and in introducing disorder and confusion. He was astonished that the hon. baronet, a gentleman of great possessions and of an ancient family, extensively connected as he was in the country, and beloved, he had no doubt, by all who were connected with him, should express himself in the manner he had done. Why should he suppose that others were not equally beloved by those connected with them? Why should he suppose them indifferent to the wishes and feelings of those below them? Why should he give this picture of the gentlemen of England? Why should he hold them up in such an invidious light, merely because they thought it necessary to entrust extraordinary powers to government to enable them to arrest the machinations of those who were engaged in measures to subvert the constitution and government of the country [Hear, hear!]

Sir *Gilbert Heathcote* denied that his hon. friend had accused the gentlemen of England of detaching themselves from the body of the people. He had only lamented their supineness, and brought no charge of any other kind. He had expressed his desire to see them cordially join, and wisely guide the sentiments and feelings of those over whom their rank and property gave them a natural influence; and he regretted that the legitimate direction which superior information and improved judgment would give them was not claimed or exercised.

The petition was then read, setting forth,

“ That the petitioners have been taught to consider the Habeas Corpus act as one of the principal bulwarks of the people’s liberties; that they have learned with regret and surprise, that a bill is to be introduced into the House, for the purpose of suspending this important act, and thereby of leaving every person in the kingdom at the mercy of the ministers of the crown; that *Magna Charta* declares, that justice shall neither be delayed nor denied to any one; and yet, if this act be suspended, and his majesty’s ministers be allowed to apprehend and detain in custody whomsoever they please, without being obliged to bring them to a speedy trial, justice, in the opinion of the petitioners, will be both delayed and denied; that they have observed, on former occasions, that many persons were apprehended without any specific crime being charged upon them; that none of those persons were ever brought to trial, nor any bill ever preferred against any of them; but that, after being imprisoned nearly three years, they were discharged from prison without recognizance, without compensation for the injury sustained, and without any means of redress; that a power so enormous ought not to be placed in the hands of any minister, but upon the most urgent necessity, and upon the clearest evidence in times of the utmost danger; that, on every former occasion when the Habeas Corpus act was suspended, the country was involved in war, in some instances to defend the legal succession to the crown, and in others, as was then alleged, to prevent the overthrow of the constitution through the assistance of foreign enemies; that at present none of these reasons exist, nor are the petitioners aware of any acts of atrocity having been committed which the law, as it at present stands, cannot reach; the petitioners therefore pray, that the House will not allow any bill to abridge the liberties of the people of England to pass into a law, without calling evidence to the bar of the House to prove the allegations on which a demand is made on the House to deprive them of the rights guaranteed to them by *Magna Charta*, and of that other most important right, Trial by Jury.”

On the motion, that the petition do lie on the table,

Mr. *Gurney* said, he totally differed from the hon. baronet, believing the opinion of the great majority to be in favour of the temporary suspension of the

Habeas Corpus; the country calling on the House for some measures to preserve them from this perpetual agitation, and from the horrible domination of self-constituted societies—that the hon. baronet had at last discovered his real affections towards the liberties of the people—that he had at last avowed when that House should have been brought into utter contempt by way of clearing the ground for annual parliaments—when, as must of necessity be, the first moments of tumult having subsided, he whole power of the state had fallen into the hands of the crown. His counsel to the crown would be, to revert to the vigorous measures of the days of Elizabeth when counselled by Cecil and Walsingham—to check the officiousness of volunteer advisers—by driving a cleaver through their wrists with a mallet in Palace-yard—and to keep peace in the city, by hanging boys for throwing stones at the parish constables.—Mr. Gurney said, that he considered the proposed measure, as a measure of mercy, as it went to lodge a preventive power in the hands of government, which in those of the noble lord at present at the head of the home department, he was confident would not be abused; in the place of visiting committed action with severe, and perhaps in many instances with morally unmerited punishment. He, however, trusted that ministers would never revive the act of the 36th of Geo. 3d, without expunging those atrocious clauses which rendered life the forfeiture for what in their nature were comparatively slender misdemeanors.

Sir F. Burdett observed, that the hon. member had totally mistaken what had been said by him. That hon. member seemed to have great hope and great faith—great hope that the Habeas Corpus act would be suspended, in which it was very probable that he would be gratified, and great faith when he believed it was the wish of the people that such a measure should take place. What was the sentiment of the people of England must be matter of opinion, and when a member expressed a conviction that the people of England were in favour of the proposed measure, there were no means of contradicting him, but by the assertion of a contrary opinion. He should only hint at what had been said by a member who had before spoken, that if the sentiments of the gentlemen of England were expressed, they would be very different from that of the

petition which he had then presented. He did not know how this might be, but he wished to see them come forward on these questions. He had referred to the nobility of Spain, not that he thought the gentlemen of England were reduced so low as that degraded nobility, but because there was not much less appearance of apathy among the gentry here during the present crisis, than had been shown by the nobility in Spain during its struggle with France. He should maintain that this apathy existed, unless any one could show county meetings, that a part had been actually taken on the one side or the other by the gentry in different parts of the kingdom. He wished see the gentry not coming forward distinctly from the people, but with the people; for at a moment so critical, it would be most desirable to take the sense of the whole nation on its difficulties. In these meetings he did not wish to see any distinction made amongst different classes—he did not wish to hear any persons called the degraded classes, as the noble lord opposite had called them on a former night. He knew of no degraded class, unless, indeed, the sinecurists, who took salaries without any service in return to the public. These distinctions had the very effect which the reformers had been accused of producing—that of stirring up the poor against the rich. He wished to see all classes united in defence of the constitution, which they had an equal interest to defend, and that the poor man should not look upon himself as inferior to his neighbour, because he was richer than himself. The effect of this classification of the people was mischievous. The poor were taught to consider that burthens imposed on the rich were not injurious to them, and that the taxes on articles of consumption, such as leather and soap, were alone injurious to them. As if the labouring man did not receive from his employer an equivalent for those taxes, and as if the reward for labour were not always the quantity of food and raiment which the labour was worth, which was regulated by the demand arising from the fund left in the rich man's pocket. It was from this wealth, as from a bank, that the poor drew in return for their supplying the wants of the wealthy, and of course they had the same interest with the rich in desiring an alleviation of the taxes which fell upon their employers. As all ranks had one common interest, he

wished to see them all united, to attempt to remedy the multiplied grievances which had been brought upon them by a long course of false and mischievous policy. Each in his sphere should exert himself to the utmost, as it was hardly possible that even the united efforts of all could for the present do more than alleviate those evils.

Lord *Castlereagh* said, that in the former debate, which was referred to, he had never made use of the word "degraded" as applied to any class of the people of England. He had drawn a consolatory reflection from the fact, that the treason did not extend to the educated classes, but was confined to the suffering part of the people. He thence inferred that it would terminate without bad consequences; and it was to the treason itself, and the persons implicated in it, that, if at all, he had applied the word "degraded."

Mr. *Somers Cocks* thought it could not be doubted that there was at this time a bad public spirit amongst individuals, who were anxious to take advantage of the general distress, and turn these meetings to their private and disaffected views. No man was more anxious than himself to support the liberties of his country; but he did not conceive it justifiable to take advantage of our momentary difficulties to assemble and make harangues to the multitude. In all countries and at all times there had been distress; but the times of distress formed the harvest of the disaffected. He lamented as much as any one the calamity that now afflicted the people, but to assemble at public meetings, and at such a time, to inflame the minds of the populace was a mode of conduct that must meet with the reprobation of all who were entitled to the description of the gentlemen of the country.

Mr. *Ponsonby* would have remained silent on the present occasion, had he not been called upon to make a reply to an observation that had fallen from a noble lord (*Cochrane*). That noble lord had called the report of the secret committee a libel on the people of England; what the noble lord meant by the word "libel," he could not take upon himself to say; but if he meant that in that report bad conduct or mischievous designs were attributed to the people of England, he was ready to give such a charge a flat denial. The report praised the principles, the temper, the conduct of the people generally. It was obliged to confess, that in

some parts acts had been committed or principles encouraged, of which it disapproved; but so far from accusing the people generally of them, it excused even the offenders, on the ground that they were acted upon by designing men, who took advantage of their distress to mislead and delude them. The noble lord, not contented with abusing the report, attributed no very honourable motives to those who sanctioned it in the committee. He accused them of prejudices, biasses, partialities, and of acting under undue influence. Now, as a member of that committee, he would ask the noble lord, what undue partiality he could attribute to him? It was not a partiality surely to his majesty's ministers—he generally opposed them. It could not be a partiality to the measures of which the report was made the groundwork—he had expressed his protest against them. It could not be a partiality proceeding from interest—if he had any interest, it was on the other side. His interest led him to please the people. He could assure the noble lord, that neither interest, partiality, or prejudice, had been the motives of his conduct; that he acted entirely from a sense of duty, and the deliberate conviction of his own mind; and that whenever he felt that sense of duty, he would regulate his conduct by its dictates, whether he acquired popularity or not by the course he pursued.

Lord *Folkestone* thought his right hon. friend had mistaken the noble lord, (*Cochrane*) when he supposed he accused the members of the committee of partiality and prejudice. As to the other assertion of the noble lord, that the report was a libel on the people of England, he agreed that by inference it was a libel upon the people. What were the measures founded upon that report? A suspension of the Habeas Corpus, extending to the whole people of England, and a Gagging Bill equally extensive. If these measures arose out of that Report, did it not cast an imputation on the people of England by no means justified by fact? The hon. baronet, his worthy friend below him, had been misunderstood and misrepresented. What the hon. baronet had said had arisen from the wish expressed by an hon. member, to see the gentlemen of the country come forward on the subject. The hon. baronet though he differed as to what were probably the sentiments of the gentry, concurred in this wish, and lamented that gentlemen, who, by their learning and

knowledge, were able to direct the people, did not attend. What could be better calculated than this to prevent that inflammation of the public mind which an hon. member had imagined public meetings were likely to produce?

Mr. *Law* said, that the reasoning of the noble lord who had preceded him was of the most extraordinary kind. He had called the report a libel by inference on the people of England, and his inference was thus deduced—that measures affecting the whole people of England had been adopted in consequence of the Report. The Report, however, took especial care to except all the higher, almost all the middle, and all the agricultural classes from the charges which it made against some individuals. The Report suggested, that in consequence of the diseased state of the public mind, attempts were made to create disturbances among certain classes of the community, which it was necessary to counteract by legislative measures. Now, what measures could be devised, by all the noble lord's ingenuity, which should extend only to one class of the community? How could he distinguish the classes that were tainted from those who were not corrupted? A law might be confined to counties or hundreds, but if the noble lord proposed a law extending to the manufacturing class, or any other class exclusively, all his eloquence would fail to induce the House to adopt it.

Mr. *Brougham* said, his mind had been much relieved by the construction affixed to the Report, by the hon. gentleman, for he took it for granted that the hon. gentleman would not have stood forward as a champion of the Report, without having read it. The House was now told that by "few, if any" was to be understood none. They were now absolutely told that none of the higher, none of the middle, none of the agricultural classes, were engaged in the disloyal associations, though the Report said, that few, if any of these classes were concerned. A new construction had thus been fixed upon words, which certainly in themselves were not sufficiently definite. He (Mr. Brougham) did not consider the Report a libel on the people of England, though it contained misrepresentations, and language highly exceptionable. But the measures proposed on it were not a libel—not a bill of indictment—but a sentence, and a most severe sentence against all the people of England. The people were not put upon

their trial for offences, of which indeed they were acquitted; but every man among a people who had borne with such perseverance, tranquillity—nay, even decorum, sufferings, he firmly believed wholly without example in that country, was to be placed under an arbitrary power.—It was easy for them, in that House, night after night, to "hope, and trust, and expect," that the people would bear their privations peaceably. Not one man in that House had ever known or witnessed in his friends or scarcely seen or heard of, but from works of imagination, what the real pressure of hunger was. When under that dreadful pressure, the people had behaved so peaceably and decorously, he must say, that there could be no injustice, no hardship, so flagitious as, on such a report as he had last night adverted to, to pass sentence on the nation to deprive it of the blessings of the constitution.

Mr. *W. Elliot* thought the report could not be declared a libel on the whole people of England. It said the great body of the nation was sound. What it said was not that the whole nation was infected, but that practices existed calculated to shake the foundation of social order.

The petition was ordered to lie on the table.

MOTION RESPECTING THE LORDS OF THE ADMIRALTY.] Sir *M. W. Ridley* rose, pursuant to notice, to move an address to his royal highness the Prince Regent, to remove such of the Lords Commissioners of the Admiralty as could be spared without detriment to the public service. In the address, with which he should have the honour to conclude his speech, he would not point out the number that might be reduced; but if the address was carried, would leave the determination of that point to the counsels of his Royal Highness. If he were required to deliver his own opinion he would say, that two might be reduced, leaving thus four to perform the effective duties of the Board. If ever there was a subject on which he was more reluctant to obtrude himself on the notice of the House than another, it was the present: and if ever there was a time when the consideration of it was more important than another, it was the present. The cry of retrenchment had resounded through all parts of the country; it had been echoed from one side of the House to the other, and all professed to have the same object equally at heart.

He could have wished, therefore, that the measure he now brought forward had originated with his majesty's government. If the noble lord opposite had proposed such a measure, he would have deserved the thanks of the country, and would have had his support, as he was attached to no party. He remembered, however, the former conduct of government, and did not expect much from them in the way of retrenchment. He remembered they were prodigal in their promises of economy, and as prodigal in their wasteful expenditure of the public money in the face of those promises. Last year, after such promises, they brought down estimates so extravagant that they were compelled afterwards to reduce them. He remembered that they tried to raise the salary of the secretary of that board, whose reduction was the object of the present motion, and only relinquished the design when they saw the opposition made to it. He allowed that a number of sinecure places were to be abolished, but no immediate saving would accrue. Sinecures might be reduced too far; but, at any rate, no present relief could be calculated upon. The hon. baronet, adverting to the offer made by ministers to surrender a part of their salary, expressed his disapprobation of looking to the reduction of the income of efficient officers of the crown, who were in general underpaid, as a source of relief. He did not expect much in point of real saving from the measure he now proposed, even though it were carried; but it would be laying the foundation of a system of reduction by which the undue influence of ministers might be abridged. Previous to the reign of Henry 8th, there was no navy: in time of war, when ships were wanted, they were either hired from the merchants at home, or purchased from foreign traders. In the reign of Henry a sort of navy-board was established, dock-yards were built, and commissioners were appointed to regulate them. This lasted through the subsequent reigns, till the time of Charles 1st, when some alteration took place in the management of the system, and two committees, consisting of three individuals each, were appointed to superintend the new plan of naval administration. Whatever disposition the admiralty lords of the present day might feel to imitate their predecessors, there was one point to which he did not think they would be anxious to carry their imitation;—he alluded to the salaries formerly enjoyed, for

he had found from old documents that the lords commissioners in the time of Charles received but 3s a day [a laugh.] During the disturbances that afterwards occurred in the reign of Charles, the navy was neglected and became insignificant, till Cromwell, by great and constant exertions, raised it to a degree of high eminence and power. All branches of the service were improved; the number of ships was increased; and the dock-yards became more important depots. In the feeble administration, however, of Richard, Cromwell's son, the navy again fell to decay. On the restoration of Charles 2nd, the navy revived, partly under the direction of the Duke of York, but chiefly from the activity and attention of Mr. Secretary Pepys, who first introduced regularity and system into his department. The conduct pursued by that distinguished individual was well worthy of the imitation of the ministers of the present day. He did not cast his eyes about to see from what quarter he should procure such persons as would best secure or augment his parliamentary influence; but, on the contrary he looked for the most able professional men, whose knowledge and experience fitted them best for performing the duties of a naval administration. To this great object, of strengthening and improving the state of the navy rather than of augmenting his own power, he paid an ardent and unexampled degree of vigilant attention. Since that period a navy board had been in constant force, though the commissioners had varied in numbers; sometimes they were five, sometimes only four. In 1702, when Prince George was at the head of the naval lords, their number was only four: in 1706, the number was the same. In 1709, when lord Orford was first commissioner, the number was four: in 1714, under the earl of Strafford, the number was five: in 1717, under lord Berkeley it was five: in 1775, under lord Sandwich the number was still five. Since that time he was aware that the number was usually six. Perhaps the business of the board had increased during the long wars that had succeeded; but though that number might be necessary during the increased operations of war, he saw no reason why it should be continued in peace, when it could be no longer necessary. If the increase of numbers had been a matter of necessity, it should cease with the necessity; if it were to be considered as a grievance, its long continuance should be no argument

for its permanence. He believed that he should be acquitted of all wish to throw personal imputations on any men; but he thought that the House should go with him, if he could show that the appointment of six lords was neither consistent with former practice nor with the necessity of present circumstances. Mr. Secretary Pepys, in his naval administration, had laid down a rule which was well worthy the attention of his majesty's ministers: he took care not to employ any gentlemen who were not masters of naval affairs, and distinguished at the same time for strict integrity and regular habits of industry [Hear! hear!]. To this testimony he might add the recommendation which some years ago appeared in the report of the commissioners appointed to investigate the state of the naval management. They had stated their conviction as to the necessity of employing the most effective means for the right administration of the navy: and observed, how much depended on scientific knowledge, on ability, on uninterrupted industry, and recommended, that no other circumstances should be permitted to introduce any persons into the board of admiralty management except the being fit for all the duties of their situation. How far his majesty's ministers had complied with this recommendation, he left it to the House and the public to judge. When it was seen that a cornet of hussars, without the slightest pretensions to naval knowledge, was made a lord of the admiralty, what motive could be supposed to have influenced the minds of those who made him so, except such a motive as was too obvious to every understanding to make it necessary for him even to touch upon it? He must be permitted to regret that it was not more the custom of the House to attend to the recommendations of its committees. Had it done so in the present case, it would not now be his duty to make his present motion: but he must say, that it was absurd to appoint committees for the consideration of different subjects, and yet to entirely disregard all their suggestions. The committee had observed, that in time of peace it might be a fair subject of deliberation whether some reduction might not take place of the number of these admiralty lords without any detriment to the public service. The question was, whether the present was such a time as they had contemplated. At the period of their observation the number of seamen employed was 140,000: the present number was

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about 19,000. At that time there were 1,200 vessels in service: at present he believed that the vessels of every sort and description did not amount to 200. Could any thing, then, justify the continuance of these useless lords, unless it was meant to say that their offices ought to be kept as sinecure offices for the reward of the friends of ministers? He really was at a loss to know what ground of defence would be resorted to. The noble lord on a former occasion had talked of the board of admiralty having been constituted on its present scale at the time of the revolution: he trusted that he had entirely shown the fallacy of that supposition. The noble lord had also said something about innovation: but this charge of innovation made against a useful reform came with a very ill grace from him who was recommending the monstrous innovation of removing the very bulwark of our liberties. At such a time it became the House more especially to take care, that before they rejected a motion like the present, their motive for so rejecting it was solely for the public good. They ought to show themselves incapable of any bias, except towards the common welfare. And ministers should make it appear, that from whatever side a motion of useful retrenchment should come, they would be ready to adopt it, if it were not inconsistent with the public safety; and above all, that they would not reject it on any grounds of parliamentary influence. He concluded with moving,

"That an humble address be presented to his royal highness the Prince Regent, to represent to his Royal Highness, that his majesty's faithful Commons, relying upon the gracious disposition of his royal highness, to make every reduction in our establishments, which the safety of the empire and sound policy allow, humbly pray, that his Royal Highness would be graciously pleased to give directions, that the lords commissioners of the admiralty may be reduced to such a number as the exigencies of the public service may actually require."

Lord Castlereagh began by returning thanks to the hon. baronet for the temperate and candid manner in which he had introduced his motion; and he owed it to the candour of the hon. baronet to state, that it certainly had not been in the contemplation of his majesty's ministers to submit any recommendation to the Prince Regent for the abolition of the offices now under consideration. Per-

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haps, however, it would have been better if the hon. baronet had waited for the results of that committee of finance which was now sitting. He must certainly express his regret at the novel course now adopted by the hon. gentleman on the other side, a course which seemed to him to be in direct opposition to those parliamentary rules which had been framed on a comprehensive view of public utility; he alluded to that course of insulated and unconnected notices respecting different places and appointments; the perpetual renewal and suspension of which over the heads of the House, kept the public mind in a state of constant agitation. The hon. baronet in bringing forward his present motion had not at all carried his view beyond the particular office. Now, in all the published records that he had ever seen of motions of this nature, it had always been the practice to proceed on some comprehensive and general principle. Mr. Burke, when he introduced his celebrated bill for the reform of several offices in the state, grounded it on a connected view of the whole condition of the country. Mr. Pitt, when he brought forward a plan of economical reform after the American war, had also opened his scheme as part of a general system, embracing all branches of the public service. He should, however, feel it his duty to follow the hon. baronet through such a view of the subject as he had thought proper to take. But here he could not admit that office was to be tried by that strict rule which the hon. baronet seemed to contemplate, that public business was always to be done by the fewest possible hands. If this principle of making persons in high office perform all the labour possible, without any such relaxation as they might be supposed to require, were acted upon, offices of state would be filled by very different persons from those who now filled them. [Hear, and a laugh from the Opposition.] Did the hon. gentlemen mean to say that the labour performed should be precisely as much as a man could perform without any relief? Did they mean to hold out the expectation that any man of liberal rank in life would submit to such a rule? And would they go further, and drive out of administration all those young men of high birth whose accession to a government was one of the best pledges for the security of the constitution? Would they tie down persons of this description to the same labo-

rious routine of duty as a banker's clerk or a merchant's apprentice? And as to these different notices of motions for retrenchment, he felt that, altogether, their amount was but trifling—not above 4 or 5,000*l.* at the most. He here excepted a motion about the office of secretary of state, because the right hon. gentleman who had given notice of it seemed ashamed of it: he had in fact abandoned it, by postponing it *sine die*. [No, no! from the Opposition.] He had certainly put it off to a distant date, because he felt that he had no case to make out. When he stated those proposed savings to be no more than 4 or 5,000*l.*, he did not mean to under-value such a saving in a time of distress like the present; but he thought that saving would be a detriment rather than a benefit to the country, since it would tend to throw office into less enlightened hands than the present. The hon. baronet had strengthened his speech with an able argument drawn from the report of a former committee. That recommendation was certainly strong, but it would have had more weight if it had been more distinct and precise. Since that report there had been different administrations, in one of which lord St. Vincent had been at the head of the admiralty, yet that noble lord had never started a notion that he could conduct the affairs of the navy without these offices which it was now sought to abolish. He could not find in the principle of that administration, nor of any other administration, that it had ever been understood that the board of admiralty should consist solely of professional men. In his conscience he believed, that nothing was more likely to do mischief to the public service, than that the navy should be solely in the service of naval men. As to any individual against whom this motion might be aimed, he should not enter into any particular defence, but was prepared to say, that a few offices should exist in which young men of high rank in life might find a motive for studying the constitution of their country. [A laugh]. Few men could be statesmen at once: they must learn through the gradations of inferior offices to manage the high departments of the state. It was true, that there had been some instances of men attaining the height of public life at once. Mr. Pitt had started at once into that distinguished situation, which he continued to fill during his life: but there had been other great men, perhaps, of

not inferior talent to Mr. Pitt, who had risen by slow gradations to the highest ranks. Mr. Fox had not thought it inconsistent with his character or talents to take his seat as a member of the much derided board, though he had not the slightest professional knowledge of the navy; nor was he the only illustrious man who had begun by filling this minor office. Sir Robert Walpole, and others, had first come to the notice of parliament and of their sovereign through this very office. He would contend, then, that if the circle of offices was to be narrowed or abolished, serious mischief would accrue to the constitution; for one great source, the education of statesmen, would be cut off. Perhaps there was some objection to a particular individual; but on the supposition that the conduct of a person appointed to an office was open to observation, did it follow that the office itself should be abolished? He could not consent to such a proposition, unless he thought it useful to the general welfare. He never understood that the noble lord on the opposite bench (lord Althorpe) had thought himself unfit to take a seat at the navy board, though not a professional man; and lord Spencer, he believed, had put quite as much confidence in lay lords of the admiralty as any other administration.—Having thus protested against the principle of the motion, he came to the business part of the question. He did not find that it had been proved, that the numbers were too great during the war; and though he was willing to allow a distinction between peace and war, yet he denied that it would be a fair argument to say, that because the number of ships in commission was less in time of peace than in war, that therefore the duties of the admiralty were less arduous. During war, they were forced to neglect many of the details respecting the dock yards, which, however, were of the highest importance, and occupied their attention in peace quite as much as the attention of such persons could be expected to be occupied. [A laugh.] Did the hon. gentleman mean to say, that persons in these situations should have no relaxation, no abstinence from the fatigues of business? He must contend that it was very useful that the admiralty board should be so constituted as at the same time to sit in London, and to send out a competent commission to act at the outposts. He apprehended that gentlemen would see

that great delay would be saved to the public business, by thus preventing the necessity of that sort of communication which must be kept up between the board and any common agents, before any thing could be transacted.—As to the general argument used by the hon. baronet, he was ready to admit that the House had a claim on ministers for such economy as was safe and consistent with their duty. He knew the gentlemen on the other side viewed all the acts of ministers with distrust: that they were not content merely with being severe critics of the past, but were gloomy prophets for the future. In the present case, he must protest against their criticism and their prophecy; he must protest against any argument drawn from the conduct of ministers during the last session; nor was it fair to state that ministers had seen occasion to reverse their own determinations. The army estimates had been alluded to, as if the government had been compelled to alter its first resolutions: but the fact was, that the number of men was the same as had been calculated upon; and no changes had taken place except in the staff, and in some minor details which had been always contemplated. He trusted, therefore, that the House would believe in the sincerity of his majesty's government. On looking at the scale of public expenditure, his majesty's ministers had found the means of bringing it 700,000*l.* below what the right hon. gentleman (Mr. Tierney) with all his financial knowledge and experience, had assumed it practicable to effect. Great jealousy had been expressed with respect to the operations of the committee, and considerable prejudice existed as to the sincerity of ministers; but he wished his majesty's government to be tried by their general conduct during the session, and he hoped the committee would continue their inquiries, to see what retrenchments could be made without injury to the public service. He appealed to the members of that committee, more particularly to those who were considered as divided from ministers, and who had been either nominated or approved by the other side of the House, whether they had not found in ministers a disposition to promote the general wishes of the country. Considerable progress had already been made in the reduction of useless offices, and it was no less the desire of ministers than it was the duty of the committee, to see that

none but efficient officers should be placed in situations of emolument. With regard to sinecures, there was not a single office that had not undergone revision; and, indeed, every office of this kind, where the profits went far beyond what was to be considered as a fair reward for public services, had been long given up. The only remaining office in England had been considerably reduced by the spontaneous and generous conduct of the individual who held it. He trusted, therefore, that nothing which the hon. baronet had said, would raise a prejudice in the public mind against the determination of the crown to reduce the offices to the lowest possible scale.—As to the particular offices of that night's discussion, they were not more extensive than the public good required; and the House would cripple the board of admiralty, if they deprived them of the means of detaching a board to the outports. Taking the whole constitution of the board, from the Revolution down to the present day, there was no case made out against the existing administration of that board. Much had been urged, on this and other occasions, respecting the influence of the crown; but it was impossible for the hon. gentleman opposite to show that the influence of the crown had increased of late years. He contended, that there was no ground whatever for such an assertion; for if we compared the number of persons in that House holding offices with those of any former period of our history, we should find, that the House never contained so small a number of persons holding places as at present. If we referred back to the close of the American war, the number was much greater, though we had now an increase of 100 members for Ireland, of whom, however, only six held offices under the crown. In former times, promotions in the army and navy were made the sources of direct influence in the hands of members; but he put it to the House, whether the same ground of promotion now existed, and whether any of them could go to the Admiralty, or to the Horse-guards, and ask for favours under the pretence of influence? He would put it to the fair feelings of every hon. member, whether the young soldiers who had distinguished themselves in the late glorious campaigns could trace their advancement to politics? But this was not the case in former periods, when the influence of the House was directed to these

objects. The influence of the House, he repeated, had been numerically decreased within those walls, and he saw no reason for driving from the House those few individuals within it who held offices. Many of them were usefully employed in committees and other modes, in which their practical experience was absolutely necessary; and, therefore, the public service would be considerably injured if they were not suffered to retain their seats. Upon these grounds, then, and considering that the reduction of the officers of the admiralty would be detrimental to the interests of the nation, he felt it his duty to move the previous question.

Lord *Althorp* thought it proper, in consequence of a motion which he made last session, not to give a silent vote on this occasion; but it would not be necessary for him to detain the House long, as the speech of his hon. friend was so clear, so sensible, and so striking, and the answer of the noble lord so imperfect and unsatisfactory. It appeared to him, that whether there was to be a reduction in other offices or not was of little importance, provided it could be proved that a reduction might be made in the board of admiralty without injury to the public service. As to what the noble lord had said with respect to preparatory situations and a relaxation of duty, he most perfectly agreed, that persons coming forward to the higher offices of the state, should be gradually introduced; but if seven lords of the admiralty could do the whole duty in time of war, it was not necessary to retain so many now, when the business was so greatly reduced. With regard to the outports, it was almost a useless branch in time of peace; and as far as concerned the necessity of two boards, it was very well known, that, as the board of admiralty was now constituted, questions were seldom put so as to come to a majority, the business of the board being generally considered to belong to the first lord. On the subject of sinecures, he thought that public services would be better rewarded by giving a pension than by creating a sinecure. The noble lord had referred to the influence of the crown, and as far as he was aware, the noble lord was justified in what he had stated respecting the promotion of the army and navy; but he had entirely left out the enormous increase of influence by the collection of the revenue. With regard

to the other reductions to which the noble lord had alluded, he trusted that they would be speedily confirmed; but considering that seven lords of the admiralty were more than the public services required in times of peace, and more especially in times of general distress like the present, he should certainly support the motion.

Mr. Law said, he did not think the question was one which ought to be decided abstractedly upon its own merits. The proposition of the hon. baronet was to be considered as the ground work of a general system of reduction, and as such the House should consider it. They should recollect, that it was not merely the two officers of the admiralty, but the destruction of every office under government, which eloquence or ingenuity could represent as useless, that was aimed at. Let them, therefore, when the body of the place was attacked, beware how they gave up one single out-post. Let them not forget, that if they surrendered one out-work, they must weaken the defence of the whole—[Hear, hear!]. Let them not imitate the weakest of the Roman emperors, who, when they surrendered one province after another, said, "We can do without silks, we can do without spices," forgetting, however, that every foot of ground they abandoned must lead to the destruction of their empire. Let us not, therefore, imagine that we can do without two lords of the admiralty, lest the same fatal consequences should attend us. If we did this, we abandoned the principle on which our whole empire rested. On this breach we must take our stand; here we must fight the enemy. It was not so much for the advantage of ministers as for the interest of the country that he would wish these offices to be retained. Ministers, he thought, were by no means overpaid for the labours of their office; and if they did not find in the places now to be abolished some gratification for the dreadful responsibility and uneasiness to which they were subject, a responsibility and uneasiness under which the firmest minds had sometimes been broken down, no opposition would be desirous of taking possession of the offices of government. Would the House be willing to diminish the present influence of the crown? Would they again reduce it to that state of anarchy in which it was no longer able to maintain itself against a factious opposition? Considering that

violent changes were abroad, and that the most wild and wicked doctrines were preached by those who undermined where they could not attack, and desolated where they could not enjoy, he could not consent to strike out of the hand of the crown the only remaining weapon by which it could defend itself. He should therefore vote for the previous question.

Mr. Warre said, that no difference of opinion could be greater than that which he felt, and that which the hon. member who had just sat down had expressed. The hon. member had spoken very eloquently about breaches and outworks; but he greatly doubted whether ministers would be thankful for the hon. member's alliance on this occasion. He did not believe that they meant to abandon a single post, but he questioned whether they would thank the hon. gentleman for his fair and candid avowal of the military position they assumed. The noble lord had said, that a blow was levelled against one office only; but if the motion had been framed so as to include other offices, such as the commissioners of stamps, the commissioners of excise, or the postmasters, then the answer would have been, "Disentangle your question, and bring each of those offices separately before us." To urge an objection against a motion because it was clear, simple, and tangible, was certainly a novelty in that House. He was greatly surprised that the noble lord should resort to a course of recrimination, since he had found it avail him so little during the last session. He cared not what was done in former days: if former administrations had done wrong, it now became the House to do right. What was done years before bore so little on the question, that he thought they would not allow it to influence their decision. All the episodes of the noble lord were superfluous to the question. Of the lords of the admiralty, three of the sea, and one of the land lords, were efficient officers; but the other two offices were complete sinecures. As to the three officers who were to form a *quorum* at the out-ports, he supposed the noble lord thought that two would quarrel in a post-chaise, and want a third to settle the business. He was decidedly of opinion that the whole of these officers were unnecessary to the public service, and should therefore give his most cordial support to the motion.

The Hon. J. W. Ward said, he would

not shrink from asserting and defending the opinions he entertained upon this question. The other side of the House seemed to think that economy at all hazards ought to be practised; forgetting that though reduction and retrenchment might be good things in themselves, yet all reductions and all retrenchments were not expedient: they were for taking from the sovereign all his influence, and were not only anxious to strip off useless and expensive embroidery, but to deprive him even of decent and necessary apparel. He could not consent to lend his aid to the corps of political riflemen recently embodied, which was employed in picking off place after place, however important or serviceable, which attacked to-day the admiralty, to-morrow the stamp-office, and the next day the post-office, and which, on the principle of such irregular troops, showed no mercy, and granted no quarter. Had gentlemen forgotten that a committee of retrenchment was now sitting? Did they not recollect that motions like the present could only obstruct its labours? It was true that they had refused their confidence to that committee, because it was not formed merely of the immaculate uninfluenced members who sat on the other side of the House; but was it respectful to it, or to the House, in this way to press forward motion after motion? The conduct of hon. gentlemen on the other side on this occasion might be consistent with their conduct in general, but was it consistent with the vote of the majority of the House, which had given its confidence to that committee, though not formed according to some members notions of ideal excellence. Had he been chosen one of that body, he should have begged to have been allowed to withdraw his name, convinced that, however assiduous and anxious to discharge its duties, the committee could never hope to keep pace with the rapid and sweeping abolitions recommended from the other side of the House. The examinations of persons, papers, and records by a committee, were idle and ridiculous if this system were continued. The whole House was not now the proper place where the subject was to be considered; it had delegated its authority to a number of its members, and whether the motion of to-night had been of a more sweeping nature, or directed against only one department, it was equally objectionable. He could not en-

tirely concur in what had been said by his noble friend (lord Castlereagh) upon the important subject of the influence of the crown: notwithstanding all the reductions that had been recently made, it was still very great, if indeed it were not too extensive; but did it follow at all, that this particular office was to be abolished. The naval establishment of the country was, undoubtedly, at present very inconsiderable, though the military departments had been kept up: but had it been shown in any way, that, because the latter might be reduced in some unimportant respects, it was fit to put an end to two political offices of the highest consequence. The noble lord had truly said, that they were valuable as convenient introductions of young men to business: by means of these two places of lords of the admiralty, useful experiments might be made upon the capacities and dispositions of young men. It was expedient, besides, to preserve them as inducements to individuals to devote their talents and industry to the service of their country; for as long as human nature continued what it was, such means would be required to stimulate exertion. The diminution of secondary offices would also be injurious, as lessening the competition among men who might become ornaments of the state: the number of persons who would be willing to contribute their services for a proportionate reward would be reduced, and the consequence would be, that all places would fall into the hands of an oligarchy, of all others the most odious—an oligarchy of wealth.

Mr. *Banks* commenced by referring to the proceedings of the committee over which he had presided. It had, he said, been his anxious wish to have established there some distinct rule and general principle by which officers should be judged; in that attempt, however, he had been strenuously resisted by the noble lord opposite, who had contended, that it would be much wiser to examine each place separately, to suggest certain abolitions, and if others were proposed by the antagonists of ministers, to discuss them *seriatim*. The argument of the noble lord to night had shown that what he held to be fit up stairs, he considered most inexpedient down stairs; and, without much regard to consistency, he now turned round to oppose what he had before recommended. The House came to the consideration of this subject under the most favourable cir-

cumstances; for, not only were the general arguments decidedly in favour of the proposition of the hon. baronet, but the question seemed to be decided by the report of a committee made nearly twenty years ago, of which the Speaker had so ably discharged the duties of chairman, and which was composed of men of known integrity and prudence: the names of lord Harrowby and Mr. Henry Thornton were sufficient to secure it from the charge of injudicious precipitation. That committee had possessed all possible information, and it had determined against the continuance of six lords of the admiralty in time of peace. It was true that nothing had then been said of ambulatory lords, a sort of board of admiralty in Eyre, much talked of to night, and to very little purpose. The broad and better ground of resistance to the motion was, that these offices formed a part of the justifiable influence of the crown, and that young men were, by the hope of this reward, induced to devote their labours to the public service; yet this argument was most indefinite, and under this pretence of a nursery for statesmen, the power of the sovereign might be augmented to a most injurious extent. He admitted, that it was essential that persons in high official stations should occupy seats in parliament, and he ridiculed the absurd notions of inconsiderate and uninstructed reformers, who termed this practice an abuse of the constitution. It was fit, however, that some limit should be assigned; in his opinion that limit was the duty discharged by the individual, since no parliamentary office ought to be preserved merely because it suited the purpose of the minister. The bill he (Mr. Banks) had introduced did not indeed include the places in debate, but his measure was calculated for a state of war, and he could not therefore be charged with inconsistency. One hon. gentleman had vehemently insisted, that this out-work ought never to be abandoned to the enemies of royal influence; but he would advise him, if he endeavoured to defend every post, however, insignificant, to take care that he had a sufficient garrison for such an extensive fortress; while he was protecting an out-work, the enemy might make himself master of the citadel. The table was loaded with petitions, which, though idly praying for annual parliaments and universal suffrage, at least deserved attention when they required retrenchment; and he called upon all mem-

bers, who had presented them, to join in a vote in support of a motion for the abolition of two offices which were a useless burthen upon the public.

Mr. Huskisson contended, that the proceedings of the committee should not be the same as those of parliament. The recommendation to abolish should come from the former, and the execution of the measure from the latter. If the offices pointed out in the motion were destroyed, the board of admiralty would be left in a crippled state, and incapable of any vigorous exertion.

Mr. Croker stated that he had examined with care the naval estimates since 1685, and that, with the exception of the year 1691, in which probably, on account of death, the number of the lords had been reduced to six, the first article of those estimates had regularly been seven lords of the admiralty at 1,000*l.* a year each. So that the office now marked out for abolition, was one voted by our ancestors for 132 years without either intermission or any alteration in number or salary.

Sir C. Pole contended, that the board of admiralty ought to consist of naval persons, and that the salary of its members had at times varied from 1,000*l.* to 770*l.* a year. Since Mr. Burchett's time, in 1689, to the present, there had been no person appointed to be chief secretary who had no knowledge of the neighbouring seas.

Mr. Canning rose and said :

Mr. Speaker;—Notwithstanding the lateness of the hour to which the debate has been protracted, I feel myself compelled to trespass for a short time on the attention of the House. I might indeed safely and confidently rest the merits of the argument upon the speeches already delivered, and particularly upon that of my hon. friend who sits near me (Mr. Ward): but, after the menace of unpopularity which has been thrown out against those who may oppose the motion of the hon. baronet, I should hold myself guilty of a base dereliction of duty, if I were to shrink from an explicit declaration of my sentiments.

Insignificant as the question of to night is in itself, it acquires an importance which does not belong to the immediate subject of it, from the circumstances under which it is brought forward,—from the topics with which it has been associated,—from the consequences, of more

sorts than one, to which (if successful) it must inevitably lead. Considered as a single and unconnected question, its importance has in truth been ridiculously exaggerated. I cannot conceive propositions more nearly indifferent, than—whether an official board should originally have been composed of five, or of six, or of seven, or of nine members; or whether a sum of one or two thousand pounds (subject to sundry taxes and deductions) should be withdrawn from the payment of official salaries, to be applied to the temporary exigencies of the state. But this, Sir, is not my view of the present question: it is not the view of those who bring it forward. The motion of the hon. baronet is avowedly the first of a series of attacks upon that established system of political office by which the administration of the government of this country is practically carried on; and by which it has been carried on for upwards of a century,—that is, during the period of our history when our laws and liberties have been best guarded, as well as best understood.

The reduction of the number of such offices may undoubtedly form a fair subject for discussion: but, to discuss it fairly, the system must be viewed as a whole. It is not by picking out details, and by putting this or that office separately upon its trial, that the expediency of a parliamentary administration of the government can be usefully considered, or that the number of holders of office, which may be properly and conveniently allowed to sit in the House of Commons, can be justly ascertained.

As a matter of economy, the possible saving upon the two offices in question is by general admission too inconsiderable to be taken into account: no man has gravely insisted upon it in this debate. It has been argued, indeed, that saving, as saving, is good in itself,—good in principle without reference to amount; and it has been contended, that to this sort of saving, among others, we are pledged by our address in answer to the speech from the throne. But I must be permitted to remind the House,—and I appeal to the general sense and recollection of all who now hear me,—that this was not the class of office specifically in the contemplation of those who voted for the address, and for the appointment of the committee which grew out of his Royal Highness's recommendation. The reduction specifically in

contemplation was unquestionably in those offices which are called sinecures.

In saying this, I do not mean to say that the House, either by the address or by the appointment of that committee, is precluded from carrying reduction beyond those particular offices: but I think it material for the House to bear in mind, that the attention of the government and of the committee has been immediately directed to that peculiar species of reduction which had been most earnestly called for by the public: that this motion therefore was not necessary to quicken either the ministers or the members of the committee in the discharge of their duty; and that the suggestion of to-night is not (as is pretended) in furtherance of an admitted course of policy, but in recommendation of a policy which, so far from having been admitted, is now brought before us for discussion for the first time. The new policy may be right or wrong in itself (that is matter of argument); but it must be examined and decided on its own separate merits.

The labours of the committee are, as is well known, active and unremitted: and the fruits of those labours have been neither small nor slow in growth. In one short week they are understood to have resolved on the abolition of all those great sinecures offices (those of the exchequer, I mean) which have long been held out to public view as the great blots and stains in the official appointments of the state. I will not here examine whether it is a just or unjust view that has been taken of these offices. Undoubtedly, I think there is much of unfair prejudice, much of misapprehension and misrepresentation in the attacks which have been made upon them. Undoubtedly, I think they could not be abolished without the substitution of something in their room. It may, however, be true, that being (whether justly or unjustly) degraded in the public estimation, they have ceased to be the most fit rewards of honourable public service, and have thus lost the charm by which their nominal existence was prolonged.

My own sentiments on this subject are indeed already recorded. The House may possibly recollect that I have twice voted for a bill of an hon. friend of mine (Mr. Banks), which went to abolish sinecures on an extensive scale; substituting for the abolished offices other means, to be placed at the disposal of the

crown for the reward of public service. The details of that bill (for I believe it was the same bill which passed this House in the two successive years 1812 and 1813), my hon. friend may remember, I thought in many particulars faulty and ill-digested. I would willingly have had these errors mended, if I could have prevailed upon my hon. friend to concur in the alterations which were proposed:—nevertheless, approving of the principle of the measure, I voted for it with all its imperfections on its head. To a bill of the same kind I am now ready, in common with my colleagues, to lend my cordial support, and—if my hon. friend will now accept such aid—to assist him in moulding and shaping his measure, in such manner as may best tend to ensure its ultimate success.

Let me not, however, be supposed visionary enough to imagine, that such a concession, although involving nine-tenths of all that is professedly demanded, will satisfy those who clamour most loudly for retrenchment and reform, and who inflame the imaginations of the multitude with the expectation of impossible relief. Their purpose is not to amend what is really amiss in our establishments, but by cavilling alike at every thing that exists in them, and at every proposition for amendment, to feed and keep alive the discontentment of the times, and (if they can) to ripen it into disaffection. It would be vain to look for any other effect from this concession upon such men, than that their complaints and remonstrances may perhaps be transferred from the point conceded to some other on which concession is utterly impracticable.

What is the main grievance of which the clamourers of our day have been complaining?—*Sinecures*. Against which branch of the constitution have their clamours been directed?—Against the House of Commons. Would it not then naturally be supposed, by any person ignorant of what had been passing during the last few years, that the crown had recommended the abolition of *sinecures*, and that this House had disregarded the recommendation? or that the House of Lords had passed some resolutions to that effect, which the House of Commons had refused to adopt?—But what are the facts? Why that the House of Commons has twice abolished *sinecures*, so far as its decision could abolish them; and that this decision of the House of Commons has twice been frustrated by the House of Peers!

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Such are the grounds upon which these equitable dispensers of public favour heap obloquy upon the House of Commons, whilst the House of Peers stands blameless in their estimation. But fond indeed would be the fatuity which should imagine that there was any more of sincerity in their approbation than there is of justice in their censure. The House of Peers is unblamed only because its time is not yet come; the House of Commons is vilified because these men are wise enough in their generation to know that this House alone stands between them and the ruin which they meditate;—that, the House of Commons once destroyed, the road lies open, without impediment, to the overthrow of the Peers and of the Crown.

On every such matter, therefore, as is this night propounded for our deliberation, our judgment should be guided not by the loudness of the demand, but by the propriety and expediency of the thing required. Clamour is not a reason for refusing what it may be right to grant;—but let no man flatter himself that clamour is to be appeased by granting what it would be right to refuse.

I must be permitted, Sir, to deal with the hon. baronet's motion, not as a single and insulated proposition, but in connexion with others of which it is obviously, and, I think, avowedly, the forerunner. In any other view I must take the liberty to say, that the committee and not this House, would be the proper place for entertaining it. I do not mean to dispute the right of any hon. gentleman to bring forward any specific proposition that may strike his fancy; but it is for the House to decide, whether, after having appointed a Committee systematically to examine our establishments with a view to all practicable reduction, it is either regular or expedient to take particular parcels of the assigned work out of their hands, and, day after day to debate them separately in this House; thus resuming in detail the power which has been delegated in the aggregate.

My hon. friend opposite (Mr. Banks) has mistaken the nature of the objections to this practice which have been stated by my noble friend near me;—or at least he has not (as it appears to me) satisfactorily answered those objections by asserting, that in the committee up stairs my noble friend has himself proposed to proceed on the same plan. My noble friend it seems objects in the committee to the laying

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down of those general principles which he requires to be laid down in the House. To be sure he does,—and where is the inconsistency of doing so? Is not the House the place where general principles ought to be proposed and considered? and is it not peculiarly the province of a committee to regulate the application of those principles, and to discuss the details which their adoption may involve? This proceeding of my noble friend's is not only perfectly consistent in itself, but exactly conformable to parliamentary rule. Not so the course adopted by my hon. friend, who insists on laying down general propositions in the committee, and on examining the details in the House,—thus inverting the order of parliamentary proceedings, and interchanging the natural and proper functions of the committee and the House.

One word, and only one word, more upon this part of the subject. It appears to be one purpose of this day's motion, to throw discredit upon the committee;—and the consideration that such would be the effect of carrying the motion, is one sufficient reason with me, and I should hope with the House for resisting it.—Give the committee fair play, and I am convinced that its labours will redeem it in the eyes of the country from the gross aspersions and misrepresentations with which it has been assailed from the hour of its creation.

To come now, Sir, to the question immediately before us;—I have already declared that in my way of viewing it, the expediency or in expediency of abolishing or preserving one or two lay lordships of the admiralty is not the point really at issue: but I will not altogether omit to notice the arguments which have been applied to this point by the hon. mover, and by those who have supported him.

In doing this, I shall not attempt to go back with the hon. mover to the early and obscure times of the infancy of our naval administration: it is sufficient for all practical purposes that the present system is as old as our present mode of administering the government, dating that mode from its establishment at the revolution. Since that time the board of admiralty has been formed on its present scale; and parliament, in every succeeding year of that period, has confirmed by its vote the number of the members of the board, as existing at the present day. For there is this peculiarity belonging to these offices,

that they have not continued to exist from want of the cognizance and observation of parliament,—as is the case with offices which do not require parliamentary sanction for their continuance. These offices are voted yearly in the naval estimates: and the blot, therefore, if it be one, has been missed every year, for upwards of a century.

The hon. baronet I know has stated that the number of lordships of the admiralty has occasionally varied. He has quoted some instances in which the board appears not to have been full. But I assure him that he is misled by those printed authorities (and I think I know what they are), which induce him to suppose that there has been any such variation. And though I do not hold practice and precedent to be altogether conclusive when sound reasons are assigned for change, yet they do constitute (and the hon. baronet has confessed, by his anxiety to disprove them, that they do, in his opinion, constitute) a *primâ facie* case in favour of any establishment or usage;—especially when they are the practice and precedent of good times. The onus of showing a valid cause for departing from them, rests upon those who propose the innovation.

Not only has the number of commissioners remained invariable from 1688 to the present day, but the composition of the board has always admitted a proportion (not uniformly the same,—but a proportion) of lay members, mixed with those of professional habits and experience. I know, Sir, that the advantage of this mixed constitution has long been a mooted question, and that advocates have been found even for each of the exclusive extremes of all sea lords, and all lay lords; but more frequently for that of all sea lords. The hon. and gallant admiral who spoke last is amongst the advocates for the latter plan; but, without meaning any disrespect to the gallant officer, I must confess that I do not consider his as altogether an unprejudiced opinion. His prejudices in favour of the profession of which he is himself so distinguished a member naturally influence his judgment. Even he will, I am sure, agree with me that the weight of authorities preponderates in favour of the present practice; and I confess I am myself strongly persuaded that the present practice is the best. The hon. and gallant admiral is also one of those who think that the number of the board might be reduced; but I entreat the

House to observe, that, with all his zeal for retrenchment, he does not think that the public service could spare, without detriment, more than one of the present number; thus going but half way with the hon. mover, and curtailing of half its efficacy, a proposition not very effective in itself for any beneficial purpose either of constitutional reform or of economical retrenchment.

Sir, without conceding any part of the argument founded upon long usage, in favour of the present number and composition of the board, as best adapted to the due execution of the business of the admiralty,—I must, after all, honestly confess, that this is not the consideration which weighs with me in my estimate of the question that we have to decide. I consider the motion of to-night as the *punctum saliens* of successive and sweeping confiscations of efficient office. Such a change may, or may not, be just, or wise, or necessary; but the expediency of it, if made out at all, is to be made out by far other reasoning than any that we have heard to-night; by reasoning systematically applied to the whole system and scale of parliamentary office, not to the miserable economizing of one or two thousand pounds, or to the dismissal of two, or (according to the hon. admiral) of one single individual.

If, Sir, his majesty's ministers could take so narrow a view of this question, as to be influenced by any calculations of their own immediate interest, then undoubtedly they would at once withdraw all opposition to the hon. baronet's motion. Every temptation of personal ease and public favour lies that way. The trifling sacrifice of direct official strength or influence which the proposed reduction involves, would, in the present state and temper of the country, be repaid to them tenfold in an accession of temporary popularity.

Nay, Sir, had we been disposed to indulge that species of malignity which delights in catching an adversary in his own trap, we should at once not only have assented to the present proposition, but should have hastened to take the lead of the hon. gentlemen opposite in the whole train of their projected reductions, and to out-bid them by the suggestion of others still more comprehensive. For, situated as we happen to be, the loss would really be unfelt by us in carrying on an established administration: but far different would be its consequences to those who look to succeed to our situations. When they

had routed and driven us from the field,—when the happy hour had arrived for distributing their spoil and satisfying the claims of their numerous and expectant followers,—they would find, that without these offices which they are now assailing, and other offices such as these, a new administration could not be formed with strength enough to carry on the ordinary business of this House for a single day. I protest, Sir, that even on this account I am,—most disinterestedly,—hostile to the present motion, or rather to the projects of which it is the sample and the harbinger. If I think that the crown ought to have the means of forming and sustaining an administration, I do not the less think that it ought to have the means of changing one: and I am well persuaded, that, if we swept away these political and parliamentary offices, changes of administration could not only not be so easily effected, but could not be effected at all without material detriment—certainly not without most inconvenient interruption—to the business of the state.

I know, Sir, that we are told in pamphlets, and in speeches both within and without these walls, that not the smallest influence of the Crown in this House ought to be tolerated, because it is not recognized in any theoretical scheme of the constitution. But I maintain,—and in doing so I only speak what every man feels and knows, nay, avows, whenever the purpose of the moment does not require the denial of it,—that, in practice, the government of this country could not be carried on without some proportion of such influence. The amount of it, I am far from denying, is matter of fair constitutional jealousy.

Suppose the theory—such as it is contended for—carried to its full extent;—suppose a complete separation between the ministers of the Crown and the members of the House of Commons;—the result would assuredly be an endless struggle between this House and the Crown. I may be told, perhaps that few persons are in fact so much misled by an uncalculating attachment to abstract theory as to desire that complete separation. Even my hon. friend over the way (Mr. Banks), jealous as he is of a preponderating influence in the Crown, allows that the persons holding the highest offices of state ought to have seats in parliament. But while my hon. friend admits this principle, he, in a great degree, nullifies his admission by the limits which he would prescribe to its operations. Is it to

be believed that half a dozen insulated ministers could withstand the assaults of that numerous body always to be found within these walls,—the systematic opposers, the designated successors, of any existing administration,—deprived, as those ministers would be of the aid and comfort of the official knowledge and practical experience of gentlemen filling the secondary offices of the state?

Suppose then, I say, that the Crown were to take the theorists at their word, — and rejecting my hon. friend's kind but utterly useless concession in favour of the ministers themselves, were to determine to carry its self-denial still farther, and not to suffer any of its servants to sit in either House of parliament: in other words,—were to select its ministers from amongst men not having seats in either of the two Houses of parliament. Suppose, we were to find, at the beginning of a new session, that the Crown, thus impatient of the imputation or suspicion of influence, had appointed—for its first lord of the treasury—for its chancellor of the exchequer—and for its secretaries of state—gentlemen of perfectly unexceptionable character, if you please, but wholly unknown to the nation; and that out of extreme reverence for the purity of parliament, none of these gentlemen possessed, or would accept, seats as members of the legislature.—There would be nothing in this arrangement contrary to the theoretical constitution,—nay, it would be exactly conformable to that construction of it which has been of late so loudly claimed as the right of the people of England, and towards the practical adoption of which the motion of this evening tends. It would be only pushing to excess the principle of jealousy in which this motion is founded. But will any man say, that, if such an arrangement were adopted, the practice of the constitution would not be at an end?—Would not a facility be given for arbitrary selection, and unfit appointments, over which this House has always watched with peculiar jealousy? Would not a road be opened to court favour, which the parliamentary administration of the government is particularly calculated to close?—Would not office and parliament be equally degraded by a choice which separated their functions?—And would not this separation infallibly lead to incessant jealousies, collisions, and conflicts?

It is no reply to this argument to say, that it does push the hypothesis to an ex-

treme. I admit that it does so. But, if that be objectionable, it is objectionable only on this ground—that some mixture of official men in the Houses of parliament is allowed to be highly expedient (if not absolutely necessary) in practice;—although the letter of the constitution is silent as to that practice, and although the theory of the constitution is asserted to be adverse to it. If some there must be, the controversy is reduced from a question of principle to one of degree; and this reduction cuts off at once as altogether idle and irrelevant those general declamations against the influence of the Crown in parliament, which constitute all the eloquence, and almost all the argument, that have been employed on this and similar subjects of debate. Once admit that some official men must sit in parliament—and away at once with all those brilliant and animating generalities which denounce as corruption the very name of influence, and demand its radical extirpation as indispensable to the well-being of the state! All such fine flights are by this single admission commuted for the much tamer task of measuring the *quantum* of that influence which it may be safe and convenient to allow. The controversy once brought to that issue, I am confident I can show that there never was a period in our history when the *quantum* of influence was so low as it is at the present hour.

Sir, the theoretical principles and the practical operation of the British constitution are necessarily to be taken into view together, as explaining and modifying each other. The separate provinces of its several powers are easily described in theory: but it is not so easy to describe their actual workings, to trace the play of all the parts, and to delineate not only the structure of the mechanism, but its complicated movement and operation. The theory modified by the practice, forms in reality the constitution under which we live. The prerogative of the Crown, the high functions and authorities of the House of Lords, and the rights and privileges of the House of Commons, are capable of strict definition. But, when the definition is given strictly, the wonder is how the government goes on. With such a system of checks and balances,—of opposite tendencies counteracting each other,—it should seem that if each were to exert its specific power to the utmost, the whole machine must stand still. Accord-

ing to the theory of the constitution, the Commons and the Crown are armed against each other,—the Commons with the right of granting or withholding the supplies, the Crown with that of interposing its *veto*. In practice, how often have the supplies been stopped?—how often or how lately has the *veto* been interposed?—The fact is, that the consciousness in each, of the other's power, operates reciprocally as a check upon both; and the march of the government proceeds unimpeded in a middle course, the result of contrary and combined impulses. The Crown, aware of the ultimate and irresistible strength of parliament, proposes nothing that can call for or justify the putting forth that strength into full action. But, for the purpose of counterbalancing this irresistible strength in parliament (or, to speak plainly, in the House of Commons), and for preserving its due weight in the constitution, what efficient force does the Crown possess?—What—but a certain degree of influence in parliament?

I am not saying—I am not bound to say, in arguing the question of to-day—whether this change, from prerogative to influence, from conflict to compromise, is for the better or for the worse. I state the fact as it exists; and I know of no advantage in stating it otherwise. I know of no advantage in shutting our eyes to what is evident, and notorious. As things now stand,—as they have stood since the revolution,—the effective monarchy of this country cannot be upholden without a just share of influence in parliament. I say “a just share,”—because I speak,—and I desire to be understood as speaking,—of that avowed, direct, legitimate influence, which arises from having, in this and the other House of parliament, a certain number of the political servants of the Crown;—or (which is the same proposition in other terms) from the Crown's choosing its political servants among the members of the two Houses of parliament.

The more or the less of this influence is unquestionably, as I have acknowledged, matter of fair inquiry: and it remains therefore to examine whether the Crown now possesses that influence in a greater proportion than formerly, or in a degree excessively too preponderant for the general interests of the state. Try this question by comparison. A reference to former times,—to what are considered as the brightest periods of the constitution,—will show that the direct influence of the

Crown in the House of Commons has, at every former period, been greater than it is at the present day: and the more remote the period, the larger the excess. Immediately after the revolution, the number of members of this House, holding offices under the Crown, was double, and frequently triple, the present number. During the Whig administration in the reign of George 2nd,—in sir Robert Walpole's time,—it appears, from authentic lists of divisions on great questions, that there were about eighty-five persons holding offices during pleasure under the Crown who had seats in the House of Commons. In the present House the number of persons holding such offices amounts to no more than about forty-five. In such a degree has the direct influence of the Crown actually decreased; but proportionally the decrease is infinitely greater. For be it remembered, the House of Commons, then consisted of one hundred members fewer than since the Union with Ireland. Ireland had, till the year 1800, its separate parliament. The comparison is therefore to be instituted between the proportions of eighty-five placemen in a House of Commons of five hundred and fifty-eight members, for the government of Great Britain alone; and of forty-five in a House of six hundred and fifty-eight, for the government of the whole United Kingdom. If any such direct influence is to exist at all, surely no man will assert that the present proportion of that influence, as compared with the past, is one that requires diminution.

It is argued, however, that the influence of the Crown, though its direct operation may be diminished in this House, has an increased indirect operation. In answer to this argument, I repeat the opinion which I expressed on a former night; meaning now, as I meant then, to speak of the influence of the Crown as operating within the walls of this House for the effective purposes of government.—Positively, no doubt, the influence of the Crown has increased, with the extent of our establishments—with the augmentation of our revenue: but only just as the nominal rental of every landed estate has positively increased within the last century, without augmenting, in a degree at all proportioned to its nominal increase, the effective power of the proprietor. Positively, the Crown may have more to bestow—as the proprietor of an estate may have more to receive, and to lay out—than formerly: but the

value and effect may in both cases be less. Power is not merely positive :—to form a true estimate of its efficacy, you must compare it with that by which it is opposed.

If I am told that the Crown has now double the number of offices, civil and military, at its disposal, which it had some time ago, I answer, that the power of the Crown is, in these latter times, controlled in the disposal of offices, by a degree of moral influence such as was never exercised over it before. It has been well and truly said, by my noble friend, that the army and the navy, large as these establishments have been, are far less available, as sources of patronage, than in times when their numbers were infinitely less; when—as is notorious—preferences were given, without scruple and without shame, on account of political opinions or connexions; when—as is notorious—a vote in this House given against an existing administration, would not only stop the preferment of the voter, but possibly strip him of his commission. What individual in our times has found his adverse politics stand in the way of his preferment in the army or the navy?—In how many instances, that must be in every body's recollection, has the direct contrary been fairly to be inferred?—I answer then, that against the increase of patronage must be set off this mighty increase of the power of public opinion—a power which, since the Revolution, has grown from a pigmy to a giant,—a power which watches over, and governs, and controls, not only the actions, but the words, of every public man;—which, drawing its chief aliment from the publication of the debates in parliament, holds a warning terror over every member who speaks in this House;—a power, under the influence of which I, Sir, now address you, knowing that to-morrow, whatever I now say, will be submitted to a thousand eyes, and criticised by a thousand tongues,—that every word I utter, even every accidental verbal inaccuracy, will be held up to public notice, perhaps perverted and misrepresented, and fixed upon me as a reproach for ever.

Is it possible to deny that such a power as I have described more than counterbalances the so much dreaded influence of patronage and favour?—Is it possible to suppose that any minister could venture, in times like these, to stand solely upon the favour of the Crown, and to rely solely upon its patronage for support,—independent of public opinion?

It has been truly said, Sir, that “words are things;” and mere names are often found to be indicative of the bias of popular feeling. Forty or fifty years ago, a minister was habitually spoken of as the “servant of the Crown;” at present the “servants of the Crown” are, in common parlance, the “servants of the public.” Trifling as this instance may seem, it is a genuine symptom of the ascendancy which the popular part of the constitution has been daily and hourly acquiring. This popular spirit does indeed pervade and vivify all our political institutions. But, on the other hand, to preserve the soundness and strength of the monarchy is not less essential to the conservation of our happily tempered form of government; and I cannot believe that any thinking man, who considers the signs of the times, will imagine that the danger of the present day is from such an inordinate growth of the monarchical branch of the constitution, as shall be likely to over-shadow and to blight the liberties of the people.

So much as to the influence of the Crown,—which forms one of the alleged grounds for demanding the abolition of two lordships of the admiralty. But it is not from this negative defence alone that I would argue the expediency of preserving them.

The business of the country is transacted in this House; and by the practice, as has been shown, if not in the theory of the constitution, the character of a British statesman is compounded from the union of parliamentary and official duties. Foreigners often ask, “by what means an uninterrupted succession of men, qualified (more or less eminently) for the discharge of these united duties, is secured?”—First, I answer (with the prejudices perhaps of Eton and of Oxford), that we owe it to our system of public schools and universities. From these institutions is derived, (in the language of the prayer of our collegiate churches,) “a due supply of men, “fitted to serve their country, both in church and state.” It is in her public schools and universities that the youth of England are, by a discipline which shallow judgments have sometimes attempted to undervalue, prepared for the duties of public life. There are rare and splendid exceptions, to be sure: but in my conscience, Sir, I believe that England would not be what she is without her system of public education; and that no other country can become what England is, without the advantages of such a system.

After education at the university comes that education at this House which is the fruit of a sedulous attendance upon the business of parliament; an attendance quickened by the ambition of one day sharing, or being thought qualified to share, in the administration of the government. To fit men for the duties of the higher departments of the government is one of the uses of such offices as those under discussion. I know, Sir, how obnoxious this part of my argument is to ridicule. I know too that here, as in the case of preparatory education, there are splendid but rare examples of men who have leapt at once to the highest pinnacle of official situation. Such men (if such there be among those whom I see opposite to me) can afford to strike the lower rounds out of the ladder of ambition. But exceptions are not rules: and, generally speaking, it is in such offices as these that young men are trained for higher stations. And how are they trained? By "signing their names?"—Idle sneer!—No. By learning (if nothing more) at least the habits and the punctuality of business; by associating with men of business—a description of society to which young men are not usually prone;—and by being induced, through motives and duties of more constant and certain operation than their mere duty as members of parliament, to give to this House much of that time which might otherwise be wasted in frivolous, and, it may be, not in harmless pursuits.

My hon. friend near me (Mr. Ward) has justly stated this argument as applying with peculiar force to men who, in the outset of life, hesitate between professional and political pursuits; but it is not applicable to them alone. I apply it also to those very cases which I know are thought to be the most untenable,—the cases of young men of ancient name and family, whom the temptations of rank and affluence might lead far out of the road of official labour; but who, by being brought into these offices—and being mixed in them with others of humbler fortunes, who have names to build for themselves,—continue, through a more advanced period of manhood, in that wholesome equality of intercourse which schools and universities have taught them: an equality which mainly contributes to maintain in the British constitution the animating and active vigour of a democracy, corrected and restrained but not subdued, by an

hereditary aristocracy and an hereditary Crown.

It may be true,—it unquestionably is true,—that many individuals pass through these offices as they had passed through the previous stages of education, without benefit or at least without renown. But it is also true that these offices have been the nursing-places of great ministers and statesmen: and if but one of any six lords of the Admiralty comes out of this initiatory course the better prepared to serve his country with advantage, I cannot but consider the cost of the whole six as wisely and economically incurred.

In all free countries a share in the administration of the state has been the object of liberal ambition. To discredit that object, is to discredit freedom itself. To discredit it among the noble and the powerful, is to deprive the state of its natural props and ornaments. To discredit it among those who have not these inherited advantages, is to restrict the Crown in the choice of its political servants, to the wealth and aristocracy of the country.

Even with all our present official institutions, which it is now wished to main and to curtail, politics are perhaps the least alluring and advantageous pursuit of any of those to which a young man of talents and education can devote himself. The same ability, industry, and duration of service applied to other liberal pursuits, can hardly fail of meeting with more adequate and splendid remuneration. In the army, in time of war, the highest ranks and honours are open to the young candidate. At the bar, wealth, dignity, and fame, are placed before him: and, although it may not perhaps be in the competence of many to attain, by their exertions, to the eminence of the hon. and learned gentleman opposite (sir S. Romilly); yet, at the bar, that moderate degree of success which even the least sanguine might venture to anticipate as the reward of unremitting study and assiduity, will afford means of earlier competence than is afforded by a life of secondary office, with all its chances and vicissitudes, to the average even of tolerably fortunate politicians.

Will the House then sacrifice a permanent and assured advantage to a temporary pressure, which that sacrifice could not in the smallest imaginable degree tend to relieve?—Will they, in obedience to the clamours of demagogues, destroy the

power of carrying on the government on the system which has, for more than a century, been found practically expedient and beneficial,—safe for our liberties, and conducive to our glory, by destroying those minor offices from which the wants of the state in its highest departments are constantly fed and supplied?—This is the true point for the decision of the House.

The interest of the present ministers in the question, I repeat it, is absolutely nothing,—except as their interest is inseparably connected with the public good. I have said that our personal ease would lead us to accede to the proposition; which I can sincerely declare that I oppose from a sense of duty alone. I have said that the acceding to this proposition and to those which are announced as intended to follow it, would really not disable us; but would, indeed, be unpropitious to the hopes of those who sit opposed to us. If it be with any such personal views that our opponents press these reductions, they act like the impatient expectants of a dilapidated inheritance. They would pull down the building to obtain possession of the ruins. Finding themselves unable to remove us from our pedestals, they are willing to blow-up a portion of the edifice with us into the air.

But, Sir, if it be possible that the real object of the motion is merely to turn us out, never certainly was such a compliment paid to any administration before!—Other administrations have been attacked for errors or misconduct of their own: we for institutions long ago established; institutions which no ministry has ever hitherto dreamt of reforming; of which our opponents as well as ourselves have, without scruple or remorse enjoyed the benefit; and which are now first attempted to be brought into disrepute after a quiet unquestioned usage of more than a hundred years.

Let it not, however, be supposed that we would defend these institutions merely because they are old,—if we were not firmly persuaded that it is our duty not to suffer the interest intrusted to us, on the part of the public no less than of the Crown, to perish or to be wasted in our hands.

Sir, I conclude therefore, as I began, with the declaration, that, unimportant as the particular question is in itself, I am deeply and sincerely impressed with the mischievousness of its tendency,—with the danger that would ensue from its success

(followed up as that success would be) to the whole frame of our practical government. And while I acknowledge, on the one hand, that there never was a point which (selfishly considered) it would have been more convenient for ministers to yield, I feel, on the other hand, so strong a conviction of the impropriety and inexpediency of yielding it, that,—rather than do so voluntarily,—I would, for my own part, be contented to stake the existence of the administration upon the result of their opposition to this motion.

Mr. *Brougham* began by observing, that exhausted as he was by the debate of last night, and labouring under indisposition, nothing could have tempted him to rise upon the present occasion, but the security under which the right hon. gentleman had said he addressed the House, that every one had spoken who meant to speak, and that he should close the debate. Of this he had availed himself, to fly entirely away from the question; and in recalling the attention of the House to it, he (Mr. B.) should keep the promise which the right hon. gentleman had made of occupying only a small portion of their time. Upon almost any other occasion he should have been disposed to decline, as very much above his deserts, the compliment bestowed on him by the right hon. gentleman, that he stood in no need of prompting; but he must fairly own that at present he felt arrogant enough to accept of it, and to think that he required no assistance to answer the speech he had just heard beyond the speech itself, nor any prompter but the right hon. gentleman who made it. To what precise question he had addressed himself, or whose arguments he had set himself to combat, might not easily be discovered; one thing was plain, he had avoided the question before the House and had answered none of the arguments maintained so triumphantly by the hon. baronet who opened the debate, and his hon. friend (Mr. Warre), who supported him with so much ability. The topics of the right hon. gentleman were wholly inapplicable to them; and the tone of his remarks and his declamation manifestly prepared for some speakers who had not borne a part (as perhaps was expected) in the discussion. What, for instance, could be more ridiculous than insinuating that the worthy baronet (sir M. W. Ridley) wished to attack the constitution under cover of this motion? Would any man say that such a charge could

have been originally intended to be levelled against that worthy baronet?

The right hon. gentleman had brought forward the exploits of the finance committee, as an answer to all that could be urged in favour of reform and retrenchment. "See," he had said, "how much this committee has accomplished, and be ashamed at having predicted its inefficiency." He too would say, "See exactly how much this wonder-working committee has done." It has, in fact, done nothing but what had been done ten years ago, and done twice over. It had stolen a leaf out of the hon. gentleman's (Mr. Bankes) book.—It had resolved to report against ten places which the former committee had not only recommended to be abolished, but obtained the concurrence of the House in putting down. At that time the House had twice resolved to abolish those places; twice passed bills for the purpose; and now we were told to be satisfied, because a new committee had come to a determination to recommend us to send up a third bill, to be a third time refused by the Lords. And this was to be a sufficient reason for the House putting all its functions in abeyance, and abstaining from lopping off the useless places now under consideration.

But those places, it was said, had always existed; and the right hon. gentleman denied the accuracy of his hon. friend's statement, that there were instances of only five or six lords in the commission. He still believed that statement in preference to the right hon. gentleman's, and he would tell the House why. The right hon. gentleman argues that there were always seven lords, because there were in all the estimates they had consulted votes of salaries for seven. Now it was well known, that all such sums are voted upon account; and though the money might be voted for seven, it no more followed that seven lords existed to receive it, than it did that so many thousand men and marines were employed because so much pay was voted for them. If he had produced a statement, from examining the commissions of the board at different times, it would have been another matter; but he ventured to affirm that such an inspection would support his hon. friend's assertion.

Much had been said by the right hon. gentleman about the necessity of having such useless places as a school for training young statesmen. It was not every man,

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they were told, who could rise at once to the highest place like Mr. Pitt; and even his great antagonist, it was said, had begun his career at the Board of Admiralty. For which of the two stations, of prime minister, or leader of opposition, they were now occupied in preparing the noble and gallant marquess (lord Worcester), had not been mentioned, or whether he was in training for the post of commander-in-chief; but to him it seemed rather an odd way of schooling statesmen, and breaking them in to the duties of difficult and laborious offices, to place them in a department where they had no duties at all to perform, and knew of no labour under the sun beyond that of signing once a quarter the receipt for their salaries. They were told of the advantages which resulted from inducing persons of illustrious rank and vast possessions to connect themselves with the service of the state. But what became of this benefit, if it was found that the connexion they were seduced into, was with the profits only of place, and not with the service? And how did it happen that we were tempting men of great wealth by the only thing which they might be supposed to have no occasion for—a thousand a year for nothing? The right hon. gentleman had been extremely jocose with an hon. and gallant friend of his (sir C. Pole) who expressed his opinion in favour of the sea lords. These personages were treated by the right hon. gentleman as ridiculous beings; he called them seamons—*phocæ marinæ*—and he knew not what. But he (Mr. B.) could not help fancying that there were in the world some animals of as amphibious a description as these—that there were sea-horses as well as sea-calves. At least a cornet of dragoons seemed to him quite as little fitted for the naval department as a sea-captain—the more especially if it should appear that the gallant officer of cavalry was with the army in France.

The plain truth was, that no man had ever ventured to deny the uselessness of the places in question; and, because of their inutility, of the expense they occasioned, and of the patronage they conferred, the country called aloud for their reduction. The House was now asked to comply with this reasonable prayer of the people; and the point for consideration was whether or not it would refuse. The right hon. gentleman, in a declamation, obviously intended to answer some speech which he might have expected, but

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which as it happened had not been made, recommended as the best course the House could pursue, a struggle with and a victory over the country; and in much the same spirit an hon. gentleman (Mr. Law) had warned parliament that they were now making the last stand in the outworks of the constitution, and if they failed, the citadel would be carried. He (Mr. B.) too thought that they were making nearly their last stand; they who supported the motion were really defending the cause of regular government, disarming its worst enemies, and defeating the designs of those whose outcry was the loudest, but who were wholly without weight if the people did not back them. This was the sort of triumph he recommended to the House; he warned them against the victory to which the gentlemen opposite would urge them on; for if they gained it, they might have to say with a former conqueror, "Another such will be my ruin." But it was not merely the country that universally demanded every practicable retrenchment, and especially the abolition of such places as these. It had the sanction of the highest authorities in that House; it was strongly recommended by those distinguished men who took part in all questions of economical reform, and by none more so than by the committee in which the Speaker took so prominent a part. It was recommended by the authority of men, now unhappily no more; (Mr. H. Thornton, &c.)—whose memory was dear to their country; whose lives were devoted to an honest pursuit of its real interests; who had done more to sustain, to fortify, and to adorn the constitution than the right hon. gentleman (Mr. Canning) had ever attempted; who knew full as well as he did to mingle with his support of the popular branch of the government, a disinterested regard for the privileges of the Crown. These were the men, the living with the dead, the men who enjoyed the highest confidence of all parts of the community, and who reckoned in their number the characters and the stations most revered in that House—these were they whom the right hon. gentleman now reviled, or whose memory he insulted, by charging them with hostile designs to the cause of regular government; with countenancing the wild clamours of the mob; and aiming a blow to pierce the sides of the constitution under cover of supporting such a measure as the present.

He should spare the House the superfluous labour of going through the latter part of the right hon. gentleman's speech, in which he had either combated arguments never even touched upon, or attempted to bewilder the House with dissertations foreign to the question upon the diminution of the influence of the Crown. But his misrepresentations were too glaring on this point to escape notice. He had contended that in former times,—in what he was pleased to designate as the true whig times, because the whigs were in power—the Crown had far more influence in the House of Commons, because a greater number of placemen then had seats in it—as if there were no other means of influence but the clumsy and direct control exerted through members having places; as if the amount of the places held were nothing, and that must on all hands be allowed to have increased; as if members were to be influenced in no other way than by the offices they themselves held. Surely no one could doubt that the Crown with its immense increase of revenue and establishment—an increase in the proportion of above seven to one, independent of rich offices in the colonies, an increase in the proportion of above four to one since the year 1792—might possess more real weight in parliament, more effective means of swaying its deliberations though the number of placemen having seats, had been reduced to one half, instead of only varying by some half dozen. But even if there be in reality any risk of the influence of the Crown in that House decreasing too much, it should be observed, that agreeing to his hon. friend's motion would not produce the slightest danger or inconvenience, for it pledged the legislature to no permanent alteration in the number of placemen. At any future time the right hon. gentleman and the other alarmist, when they should find the royal authority too much on the decline, might bring forward a resolution (which he wished they would do at once instead of always insinuating it), "that the influence of the crown had decreased, was decreasing, and ought to be augmented;" and if the House agreed with them, its adoption would be followed by a restoration of the suspended lay lords to their primitive state of idleness and salary.

But it seems inducements must be given to men of talents and respectability to enter the service of the state. This was a delicate as well as a wide field

of observation. He could have wished that the right hon. gentleman had gone more lightly over it. He was sorry he should have chosen the present crisis for so open and downright an avowal to the public (now for the first time fairly told, whatever they might have suspected before), that politics were a trade—that men be took themselves to it as to other lines of traffic for its emoluments—and that it was a trade which the state must encourage by high bounties. Perhaps the existing circumstances of the country, and of all the other branches of its commerce, did not peculiarly suit so open and undisguised a declaration of what he could no longer doubt to be, in some instances at least, the fact. As to the other professions, with the profits of which the right hon. gentleman had compared the gains of professional politicians, he greatly feared he had over-rated them. When he spoke, somewhat unaccountably, of half-guinea motions, as a very tempting object of cupidity, he perhaps only mistook the least lucrative for the most lucrative branch of that most laborious profession. But let him take even the instances of every great gain, and they were but few, he could venture to assure him, that there were no such things in the law as places of 14,000*l.* a year for doing nothing; and yet he had known of traders in the right hon. gentleman's line getting such things, after lives neither very long nor very laborious, in that line.

The noble lord (Castlereagh) had on a former night desired a noble friend of his (lord Milton) not to make himself what he was pleased to term “a man of crimination.” The noble lord and his supporters had now shown themselves only as “men of recrimination.” They had not argued the question fairly; they had resorted to what was well termed elsewhere “a miserable *tu quoque*.” They left his hon. friend's (sir M. Ridley's) arguments untouched; they did not deny their force; but they said, “you yourselves when in office left the seven lords in the admiralty.” Now, admitting this to be true, it was beside the question. It applied only to the ministry of 1806. It did not apply to him (Mr. B.) nor to those around him, still less had it any application to the people at large—and to those gentlemen in parliament who belonged to neither party. But it was as false as it was inapplicable, for the ministers of 1806 were in office only during war; and though he (Mr. B.) might think those places useless even in

war, it did not follow that those who then administered the governments and who were thus taunted with a supposed inconsistency, would have maintained the same establishment in time of peace.

He implored the House to dismiss from their consideration every thing but the real merits of the question, and the actual state of the country. Let them truly apply themselves to satisfy the just and reasonable expectations of the people, and they would speedily put down the clamour of the populace. They had heard much about popular outcry; it was a convenient topic on all questions of retrenchment;—for if any saving was recommended which the public had not asked, it was said we were going beyond the rabble themselves; and if any thing was proposed which all men loudly demanded, the concession was deprecated as tending to encourage clamour. The right hon. gentleman was the most clamorous in giving such advice—the loudest in his warnings against all concession. He—the greatest dealer in delusion—was the first to exclaim against deluding the country. He—the most active promoter of clamour, religious as well as political—was perpetually crying out against clamour. But it was to be hoped that the House would show itself above the reach of the clamour and delusion, in which he traded; and, regardless too of any other outcry, except the just voice of the people raised for the recovery of their rights, would satisfy their reasonable expectations, by sanctioning the only system which could at once meet the exigencies of the crisis, and save and strengthen the constitution of the country.

The previous question being put, the House divided:

Yeas 208

Noes 152

Majority 56

List of the Majority and Minority.

Majority.

Abdy, sir W.	Benson, R.
Abercromby, Robt.	Beresford, lord G.
Addington, rt. hon. J.	Beresford, sir J.
Alexander, James	Bernard, lord
Allan, George	Binning, lord
Apsley, lord	Blackburne, J. I.
Arbuthnot, rt. hon. C.	Blair, J. H.
Ashurst, W. H.	Bloomfield, sir B.
Barne, M.	Boswell, A.
Barry, J. M.	Bourne, W. S.
Bathurst, rt. hon. C.	Bridport, lord
Bective, earl of	Brogden, James

Brydges, sir E.
 Buller, sir E.
 Butler, hon. C.
 Calvert, John
 Campbell, gen. A.
 Canning, rt. hon. G.
 Canning, G.
 Cartwright, W. B.
 Casberd, R. M.
 Castlereagh, visc.
 Chichester, A.
 Chute, W.
 Clements, H. J.
 Clerk, sir G.
 Clive, visc.
 Clive, H.
 Cockerell, sir C.
 Collins, H. P.
 Colthurst, sir N.
 Cotter, J. L.
 Courtenay, Wm.
 Courtenay, T. P.
 Crickett, R. A.
 Crosbie, J.
 Croker, J. W.
 Curtis, sir W.
 Daly, J.
 Davis, R. H.
 Davis, H.
 Dawson, Geo.
 Deroos, hon. H.
 Disbrowe, E.
 Doveton, G.
 Douglas, W. R.
 Dowdeswell, E.
 Drummond, G. H.
 Drummond, J.
 Dundas, rt. hon. W.
 Dunlop, J.
 Egerton, sir J. G.
 Egerton, W.
 Ellison, R.
 Estcourt, J. G.
 Faulkner, sir F.
 Fitzgerald, Aug.
 Fane, J.
 Fane, Gen.
 Farmer, S.
 Farquhar, J.
 Fellowes, W. H.
 Finch, hon. E.
 Fitzgerald, rt. hon. V.
 Fitzhugh, W.
 Fraser, C.
 Garrow, sir W.
 Gascoyne, I. gen.
 Gilbert, D.
 Glerawley, visc.
 Golding, E.
 Gooch, T. S.
 Goulburn, H.
 Grant, A.
 Grant, C. junr.
 Graves, lord
 Gunning, sir G.
 Gurney, Hudson
 Hall, B.
 Hare, hon. R.
 Harvey, Charles
 Heathcote, T. F.
 Holford, G. P.
 Holmes, W.
 Hope, sir G.
 Horne, W.
 Hamilton, Hans.
 Houblon, J. N.
 Howard, hon. T. G.
 Hulse, sir C.
 Hume, sir W.
 Huskisson, rt. hon. W.
 Jackson, sir J.
 Jenkinson, hon. C.
 Jocelyn, visc.
 Jones, John
 Irving, J.
 Kirkwall, visc.
 Kynaston Powell, J.
 Lacon, E. R.
 Lascelles, visc.
 Law, hon. E.
 Leigh, J. H.
 Lloyd, Hard.
 Lockhart, W. E.
 Loftus, W.
 Long, rt. hon. C.
 Lovaine, lord
 Lowther, lord
 Lowther, James
 Lowther, J. junr.
 Lushington, S. R.
 Luttrell, H. F.
 Luttrell, J. F.
 Lygon, hon. H.
 Maberly, J.
 McNaghten, E. A.
 Macqueen, T. P.
 Manning, W.
 March, earl of
 Meyler, R.
 Michael, gen. J.
 Milne, P.
 Money, W. T.
 Moore, lord H.
 Moorsom, sir R.
 Morritt, J. B.
 Needham, hon. F.
 Neville, R.
 Nicholl, sir J.
 Ogle, H. M.
 O'Neil, hon. J.
 Osborne, J.
 Paget, hon. gen.
 Paget, hon. C.
 Paget, hon. B.
 Pakenham, hon. H.
 Palmer, C. M.
 Palmerston, visc.
 Peel, right hon. R.
 Percy, hon. J.
 Perring, ald. sir J.
 Philipps, hon. E.
 Pitt, J.
 Pitt, W. M.
 Pocock, George

Pole, rt. hon. W. W.
 Porter, gen. G.
 Pringle, gen. sir W.
 Quin, hon. W.
 Robinson, G. A.
 Robinson, rt. hon. F.
 Rochfort, G.
 Rose, rt. hon. G.
 Round, J.
 St. Paul, sir H.
 St. Paul, H.
 Shaw, B.
 Sheldon, R.
 Simeon, sir J.
 Singleton, M.
 Smith, ald. C.
 Somerset, lord G.
 Somerville, sir M.
 Spencer, sir B.
 Staniforth, John
 Stirling, sir W.
 Sullivan, rt. hon. J.
 Sumner, G. H.
 Suttie, sir J.
 Sutton, rt. hon. C. M.
 Thynne, lord J.
 Tomline, W. E.
 Ure, M.
 Valletort, lord
 Vernon, Granville
 Wallace, rt. hon. T.
 Walpole, lord
 Ward, hon. J. W.
 Ward, Robert
 Warrender, sir G.
 Webber, D.
 Wellesley, W. W. L.
 Webber, E. W.
 Wetherell, C.
 White, M.
 Williams, R.
 Willoughby, H.
 Wilson, C.
 Wood, sir M.
 Wood, col. T.
 Wright, J. A.
 Wrottesley, H.
 White, M.
 Wyatt, C.
 Yorke, rt. hon. C.
 Yorke, sir J.

Minority.

Althorp, visc.
 Anson, hon. sir G.
 Atherley, Arthur
 Acland, sir Thos.
 Browne, D.
 Burrell, sir C.
 Burrell, Walter
 Babington, Thos.
 Bastard, E. P.
 Bentinck, lord W.
 Bolland, John
 Barclay, C.
 Bennet, hon. H. G.
 Baring, sir Thos.
 Barnett, James
 Barnard, visc.
 Birch, Joseph
 Brand, hon. T.
 Brougham, H.
 Burdett, sir F.
 Burrell, hon. P. D.
 Carter, John
 Calley, Thomas
 Cust, hon. Wm.
 Chetwode, sir J.
 Calcraft, John
 Calvert, Nic.
 Calvert, C.
 Carew, R. S.
 Caulfield, hon. H.
 Cavendish, Lord G.
 Chaloner, Robert
 Cocks, hon. J. S.
 Cocks, James
 Coke, Thos.
 Davenport, D.
 Dickenson, Wm.
 Duncannon, visc.
 Dundas, hon. L.
 Dundas, Charles
 Deerpur, visc.
 Ebrington, visc.
 Elliot, rt. hon. W.
 Fane, John
 Frank, Frank
 Fazakerley, S. N.
 Fergusson, sir R.
 Fitzgerald, lord W.
 Fitzroy, lord John
 Folkestone, visc.
 Frankland, Robt.
 Fitzgerald, rt. hon. M.
 Geary, sir W.
 Gaskell, Ben.
 Gipps, George
 Gordon, Robt.
 Grenfell, Pascoe
 Guise, sir Wm.
 Hamilton, lord A.
 Hamilton, sir H. D.
 Hanbury, Wm.
 Heathcote, sir G.
 Heron, sir Robt.
 Howard, hon. W.
 Hughes, W. L.
 Hurst, Robt.
 Jervoise, G. P.
 Lester, B. L.
 Long, R. G.
 Leigh, Thos.
 Lockhart, J. I.
 Leader, Wm.
 Lamb, hon. W.
 Lambton, T. G.
 Langton, W. Gore
 Latouche, Robt. junr.
 Lemon, sir W.
 Lewis, T. F.

Lowndes, W.	Rancliffe, lord
Mackuen, Paul	Romilly, sir S.
Marryat, Jos.	Rowley, sir W.
Morrit, J. B.	Russell, lord Wm.
Macdonald, James	Russell, lord G. W.
Mackintosh, sir J.	Russell, R. G.
Maddocks, W. A.	Saville, Albany.
Martin, H.	Sebright, sir J.
Martin, John	Shaw, sir James
Milton, visc.	Swan, Henry
Molyneux, H. H.	Scudamore, R.
Monck, sir C.	Sharp, Richard
Morpeth, visc.	Sefton, earl of
Moore, Peter	Smith, John
Newman, R. W.	Smith, Sam.
Neville, hon. R.	Smith, A.
Newport, sir John	Smith, Wm.
North, Dudley	Smith, Robt.
Nugent, lord	Smyth, J. H.
Onslow, Arthur	Spiers, Arch.
Ord, Wm.	Stanley, lord
Ossulston, lord	Tremayne, J. H.
Pechel, sir Thos.	Thompson, Thos.
Pole, sir C. M.	Tavistock, marquess
Portman, E. B.	Taylor, C. W.
Powel, W. C.	Tierney, rt. hon. G.
Protheroe, E.	Townshend, lord J.
Peirse, H.	Vaughan, hon. J.
Philips, George	Wright, J. Atkins
Piggott, sir A.	Walpole, hon. G.
Ponsonby, rt. hon. G.	Waldegrave, hon. W.
Ponsonby, hon. F. C.	Warre, J. A.
Power, Richard	Webb, E.
Prittie, hon. F. A.	Wilkins, Walter
Pym, Francis	Wynn, C. W.
Ramsbottom, John	TELLERS.
Rashleigh, W.	Bankes, Henry
Ramsden, J. C.	Ridley, M. W.

HOUSE OF COMMONS.

Wednesday, February 26.

PETITIONS RELATING TO REFORM, &c.]

Lord *Deerhurst* presented a petition from Worcester, signed by 3,000 persons, in favour of Parliamentary Reform. The noble lord prefaced his motion for bringing up the petition, by expressing his regret that he had not been able to follow his own inclination, in being for some time a listener rather than a speaker in that House. He hoped, however, for their indulgence while he stated, that he should feel it his bounden duty to promote any plan which might secure a practical and salutary reform, but which should not infringe on that glorious constitution, which was at once the pride of England and the envy of the world. He would never listen to any chimerical schemes of universal suffrage and annual parliaments, the tendency of which was, in his opinion, to lead to open revolution. Born and educated in principles of constitutional loyalty, he would never sanction

any proceedings of that tendency; and he recommended to those who instigated the clamours which existed out of doors on the subject, to contemplate the history and the horrors of the French revolution, which ought to deter them from the pursuit of such measures as might occasion similar evils in this country.

The petition was ordered to lie on the table.

PETITIONS AGAINST THE SUSPENSION OF THE HABEAS CORPUS ACT].

Mr. *John Smith* presented a petition from the inhabitants of Nottingham against the suspension of the Habeas Corpus act. The petitioners said that they were grossly calumniated in a report that they had seen in the public papers, as coming from a Secret Committee of that House, and which represented them as seditious, disaffected, and treasonably disposed. He did think it might have been possible to give some of the evidence before that committee without the names, in order that it might be seen what proofs were offered of such charges being applicable to the people of that or any other part of the country. The petitioners, however, distinctly denied the charge against them.

Lord *Rancliffe* said, that he should be wanting in his duty to the House and to his constituents, if he did not, on every occasion oppose the measure which was in contemplation for the suspension of the Habeas Corpus. He regretted that the noble lord (Castlereagh) and his right hon. colleagues did not attend in the early part of the evening to hear the salutary truths contained in the petitions of the people. For himself he would not shrink from his duty, nor bow to any minister, or any set of men whatever, and least of all could he consent to place additional power in the hands of a man who had originated measures of so diabolical a nature into the sister island. The noble lord had betrayed his own country—what, then, could be expected from him in this?

Mr. *Maddocks* declared, that his constituents and himself were most hostilely disposed towards the suspension of the Habeas Corpus, a measure which had never before been resorted to in peace, except once, when the circumstances of the times were very different from those of the present period. He hoped that at least the second reading of the bill would be postponed for a week, in order that the House might be called over, and that the people

at large might have time to express their sentiments on the subject. He gave notice that after this petition should be disposed of, he would himself make a proposition to that effect.

Mr. *Brougham* perfectly agreed in the sentiments of his hon. friend and of his constituents. A more flagitious and indecent proceeding never took place within those walls, than the attempt to hurry such a measure as the suspension of the Habeas Corpus through the House, on grounds such as those stated in the report of the committee of secrecy. He highly applauded the notice given by his hon. friend. His majesty's ministers could not complain of any undue advantage being taken of them by any such motion, when they recollected that although this week they were in so great a hurry, they last week—in one instance, for a party purpose, and in the other to suit private convenience—lost two whole days in that House. After that, they had no right to contend that time pressed with respect to this important subject. The best course that his hon. friend could adopt, would be (after the present petition should be disposed of) to move that the order of the day for the first reading of the bill be read for the purpose of deferring it until this day se'nnight, and then to move that on that day the House should be called over.

The Sheriffs of London presented at the bar a petition from the lord mayor, aldermen, and commons of London, in common council assembled, against the suspension of the Habeas Corpus.

Sir *W. Curtis*, in moving that it should lie on the table, said, that he would declare to the House, what he had that morning declared in the common council, that he disapproved of every sentiment and expression of the petition.

Sir *James Shaw* had no difficulty in stating that the three bills—for extending to the Prince Regent the protection afforded by law to his majesty's person, for more effectually punishing any attempts to tamper with the military, and for preventing seditious meetings—seemed to him to be measures well deserving the attention of the House. But with respect to the proposed suspension of the Habeas Corpus, he declared most solemnly and conscientiously that, after all the attention which he could possibly bestow on the opening speech of the noble lord, and on all which he had since heard, he did not see that any ground had been laid for such a proceeding. If

the present situation of the country could be compared to its situation in 1795, he should have no difficulty in giving the proposition his fullest support. But he could see no parallel whatever between the cases. In 1795, we were at war with France, we were in expectation of being invaded, revolutionary principles prevailed in this country to an alarming extent, and were supported by men of rank, fortune, and talent; and there existed a society in actual correspondence with, and receiving money from the enemy. How different then, was our present situation. Believing, in his conscience, that this country might be restored to perfect tranquillity without the adoption of any measure such as that proposed, he pledged himself to oppose it in every stage.

Mr. *W. Smith* declared his most decided disapprobation of the proposed measure. With respect to the three other bills, he thought that for rendering more penal the seduction of the military, and that for putting the person of the Regent on the same footing in point of protection as that of his majesty, extremely proper. On the third for the better suppression of seditious societies, he was not so clear, and should reserve his opinion. He confessed his surprise at the declaration made by the hon. aldermen who had moved that the petition should lie on the table. Did he really hear that hon. alderman declare, that in every sentiment and expression of that petition he totally disagreed with his constituents?

Sir *W. Curtis*—You heard me very right [a laugh].

Mr. *W. Smith* expressed his regret that he had so; and said that he was in hopes the hon. alderman would have taken the opportunity that he had afforded him of giving a more satisfactory explanation of his opinions.

Mr. *Curwen* declared, that he had sat in that House when a measure similar to that now proposed was discussed by some of the greatest men that ever were within its walls, and that however widely those individuals differed from one another on the subject, no one had ever exhibited so scandalous a want of feeling for the liberties of the country, as that which had been just displayed. He could not but deeply regret that the hon. alderman opposite should think the present a fit subject for laughter. He gave credit to the noble lord by whom the measure had been introduced into parliament, for the declaration, that it was

with much pain, and only upon an utter conviction of its necessity, that he had proposed it; and that it should be made the theme of sport, in any quarter, he sincerely lamented. For himself, while he admitted that he would not shut out of the consideration of parliament the expediency of in some degree strengthening the hands of government—while he allowed that if the existing law could be shown to be insufficient to meet the existing circumstances, he would not hesitate to go a certain length in their extension, he maintained that from all that he could observe there was not the slightest necessity for the adoption of a measure which went to take away the whole liberty of the subject. He would not at the present moment consent to place the required power in the hands of any minister. He allowed, that if placed at all, it could not be placed in better hands than those of the noble lord at the head of the home department, whom he took pride to himself for having supported many years ago, in that administration during which he was employed in the abolition of those measures of terror which had been resorted to by his predecessors in office; but not even to him would he entrust such a power, unless a case were made out as strong in its nature, as to compel his assent—a case of which he did not know more than two instances, in the last century, namely, the years 1715 and 1745. Without the establishment of such a case, any attempt to suspend the most valuable privileges of Englishmen, was most loudly to be deprecated.

Sir *W. Curtis* was astonished that any member should have charged him with any thing like levity in any thing that he had said or done in the House that evening. He was not accountable for the laugh of the House. He had not himself shown any degree of levity, but merely stated that his sentiments differed totally from those in the petition.

Sir *John Newport* said, it would be in the recollection of the House, that the noble lord had urged the necessity of the House agreeing to one of his measures, because part of an act passed in the year 1799 had been done away with by the expiry of another act passed in the year 1796. A respectable law authority on his side of the House had, however, declared, that the act of 1799 was not done away with; and he had heard nothing from the law authorities on the other side which seemed to him to have any weight. But,

however, that might be, sure he was, that the House, before they passed such a bill, ought to see that the reason for passing it was well founded, and to call for that information which they at present wanted on the subject; and if this was not agreed to, he should consider ministers as wishing to force the measure on the House, without their having due information. If the noble lord chose to proceed with this undue rapidity, he would want much respectable support, which he would otherwise have to the bill. The subject ought to be first examined above stairs in a committee, when the assistance of the best law authorities might be obtained.

Lord *Castlereagh* said, the information before the House was sufficient to warrant the measure which was this day to occupy the attention of the House. The right hon. baronet had strangely misconceived what he had said on a former evening relative to the acts of the 36th and 39th of the king. He believed that there was not the slightest difference of opinion between the learned gentlemen on the two sides of the House, respecting his statement, that the second branch of the act of the 39th of the king, applicable to Debating Societies, containing provisions referring for execution to the act of 1796, from the expiry of the latter act, had become inadequate. But he had justified the necessity of the bill on the larger ground of its being necessary from the present state of the country.

Mr. *Philips* said, as the district in which he resided had been particularly referred to in the report of the secret committee, as one of those in which treasonable conspiracies against the constitution and government of the country were carried on, he thought it necessary to trespass on the attention of the House, while he stated the result of his own observations in that district. From the termination of last session to the commencement of the present, he had resided constantly in that part of the country, and he could not fail, certainly, to have a great desire to make himself acquainted with the situation of the district. He found the distress so great that no man, who had not lived in the manufacturing districts could possibly have a conception of it. To adopt one phrase of the report of the secret committee "few, if any," in those districts were fully employed,—few if any, of those who were employed, could maintain themselves—and those who could obtain sub-

sistence, were not able to obtain clothing. The distress was so great that the poor-rates were perfectly inadequate to the support of the indigent. They were doubled, but still they were found inadequate, many of those who formerly paid rates having become paupers. The only resource was to form funds for the support of the poor, and, that these funds might be distributed judiciously, committees were appointed to examine into the situation of all those who applied for relief. In many of the suffering districts there was not a single poor family which had not been visited, and respecting which a report had not been made. He was not saying too much when he stated that half the time of the whole families of the more opulent persons in the district in which he resided, was taken up in providing food and clothing for the indigent. Surely at a time like this, when the suffering was so severe and so general, and such as no man living had ever before witnessed, much forbearance was due to them; and even if they should occasionally give vent to their feelings in strong language, they were not at once to be set down as engaged in attempts to overthrow the constitution. Who were the witnesses on the authority of whom the House were on the point of delivering up the liberties of the people into the hands of ministers? In Manchester and its neighbourhood he did all he could to obtain the best information—he had made every examination in his power into the state of the district; but he had never seen any thing which could in the slightest degree justify the assertion in the report. He knew that in that district there were persons who would lend a credulous ear to treasonable practices, he believed for ever. He knew people near him, who, when every thing was in the most perfect tranquillity, could not sleep in their beds for apprehension, and, if such persons were to be believed, Manchester and its neighbourhood were in a most alarming state indeed: but the persons in question knew in reality as little as he did—they had merely lent a credulous ear to every tale and report which was brought to them. One of these persons came to him in a dreadful state of alarm one day, and said, "Have you not heard what happened within a few miles of us?—a person who happened to say something against the reformers has had his house burnt down—we shall all of us have our houses burnt down in the same way." On inquir-

ing into the circumstances of the case, which had been thus magnified into a systematic attempt on the part of the reformers, it turned out that the man against whom the fury of the reformers was stated to have been directed, had burnt his own House down, and the dreadful alarm of this person had no other foundation than this frivolous and ridiculous story.—He had inquired also into the state of the adjoining districts, and the disposition of the people in them. One person told him that a dreadful disposition to insurrection existed in that neighbourhood. He had inquired into the particular grounds on which he rested his opinion, but he could draw nothing from him. He had then made inquiries of others in whose veracity he could repose the utmost confidence. They said, we hear, indeed, of treasonable meetings and disorders, but we see nothing of them—all that we see is, that the poor are in a state of dreadful suffering. In Manchester many of the people conceived that parliamentary reform was likely to afford the best remedy for the distresses of the country, and those who wished to call a meeting for the purpose of petitioning for parliamentary reform, had applied in the most orderly manner to the town officer for his consent to their holding such a meeting. On the refusal, on the part of the authorities, they called a meeting notwithstanding, but this he must say, that the people assembled behaved with the greatest tranquillity. He had passed the meeting, and from curiosity he had looked with attention to their manner of proceeding, and he could safely say that he had never witnessed people behave more tranquilly and display a more patient submission. He had made these observations, because Manchester and its neighbourhood having been so particularly referred to, he should like to see something of the evidence on which the committee founded this part of their report, because if they were to listen to persons who believed in all plots and all treasons they might give themselves up to perpetual apprehension. Had he been a member of the committee of secrecy he should have said, let me have an opportunity of examining the witnesses before I admit their evidence. If the legislature passed some of the other bills the most serious powers would be placed in the hands of the municipal officers of provincial towns. These persons were as credulous often on the one hand as the poor people were on the other. He

knew some of them who would have no hesitation, if any meeting were called to petition for the removal of abuses, to call it a seditious meeting, however orderly it might be—if they were to petition for the removal of his majesty's ministers many of these municipal officers would call it seditious. The House ought to see more evidence before they proceeded to pass such bills as those now before the House. That some sort of combinations in the manufacturing districts did exist, had always existed, and would always exist, for the purpose of obtaining a rise of wages, was well known to every person at all acquainted with them; and if they were to listen to stories of such combinations they might keep the Habeas Corpus act perpetually suspended.

Mr. *Maurice Fitzgerald* put it to the House whether they would proceed farther without calling on government to explain distinctly the fact, whether any of the higher orders were engaged in the conspiracy against government or not? If not one of the higher orders were engaged, he called on them, on their responsibility, to assert distinctly that it was so. He called on them also to say, whether any of the middling rank were engaged in the conspiracy. He had no hesitation in expressing his assent to the two bills for the security of the person of the Regent, and the punishment of the seduction of the soldiery; but when ministers also proposed the suspension of the liberties of the country, he was bound to pause. He did not belong to the country where the measures were to operate; but he wished to act towards Englishmen as he wished them to act on occasions when the liberties of his own country were at stake. He viewed the attempt against the person of the Regent, in common with all his friends around him, with the abhorrence which it deserved; but he believed the same dislike to it did not exist on the other side of the House as on this. He firmly believed that the enormous civil and military establishments which were at the command of government were quite commensurate to the repression of any dissatisfactions or disturbances if they should exist among the lower orders of the people.

Mr. *Wrottesley* was sorry the grand question had been thus anticipated, as it could lead to no good. But the hon. member opposite (Mr. Philips) had given a description of the state of Manchester,

and felt extremely sore that that part of the country should have been mentioned in the report. No man was unaware or unconcerned at the general distress, which was not peculiar to Manchester, but affected every part of the country. The county of Stafford, with which he was connected, was in the same distress as Manchester, and the gentry had done as much for the relief of the people as those of any other part. But he would tell the hon. gentleman, that the people of that quarter had not been led into the same excesses as those of Manchester. When those gentry were so kind as to send from their seat of eloquence their perambulating orators, at so much a-day, into other counties, where the people had no idea of disloyalty, it was not to be wondered at if they had made some alteration in the opinions of their auditors. One of these gentry was deputed from Manchester to Newcastle-under-Lyme, and was to have 24s. 6d. for his patriotic labours. These orators, the friends of the hon. gentleman opposite [Loud cries of Hear, hear!] had done, however, little or nothing in Saffordshire, where the people had no other feeling than that of gratitude to their benefactors; and the one who came to Newcastle had been literally hooted out of the town. He hoped the hon. member would in future be able to keep those meddling persons at home, and not allow them to sow dissatisfaction among their neighbours.

Mr. *Ponsonby* expressed himself astonished at the charges which the hon. and learned gentleman had thought proper to heap up against his hon. friend. He was astonished, when he recollected that for several years that hon. gentleman had co-operated with his hon. friend, that he should never before have seen any thing disloyal in his conduct, or an inclination to support disloyalty in others—that he should have seen this now, and seen it for the first time. "Oh, but at that time he was of the same party." He recollected extremely well the time when the hon. and learned gentleman had entertained a more favourable opinion of his hon. friend—an opinion which he had never changed until he got to the opposite side of the House, closely pinned to the back of the right hon. gentlemen of the treasury bench [Hear! and laugh]. He would tell the hon. and learned gentleman, however, that his hon. friend was as loyal as he, or any of his proudest

or meanest connexions [Hear, hear!] No man of those who filled the highest dignities in the country had an honest heart, or a more independent mind than his hon. friend [Loud cheering].

Mr. *Wrottesley*, in explanation, said, he was not aware that he had attributed any thing unconstitutional to the hon. gentleman, or stated that he was connected with disloyal persons. [Several members here cried out, "you called them his friends"]. He was sorry that he had unguardedly made use of such an expression. The hon. gentleman opposite was the last person to whom he should attribute any improper views.

Mr. *Brougham* said, the hon. and learned gentleman had richly merited the castigation which had been inflicted on him by his right hon. friend. He had been relieved from taking further notice of one part of the speech of the hon. and learned gentleman, that part in which he had called the emissaries of sedition the friends of his hon. friend, thanks to the sober sense of the hon. and learned gentleman, when brought to his recollection by his right hon. friend. But there was another part of the speech of the hon. and learned gentleman on which he had given a misrepresentation of a fact stated by his hon. friend. That fact was most important, coming as he did, from the vicinage which was said to be disturbed; and he hoped that the testimony of his hon. friend would, on that account, have that weight which it ought to have. The hon. and learned gentleman had stated, that in Staffordshire the distress was as great as at Manchester; and he wished that the people of Manchester had only behaved as well. But his hon. friend's testimony went to this, that Manchester and its neighbourhood were in a state of the most perfect tranquillity—that every thing was so still, that one might, to use a homely expression, almost say, "you might hear a rat stir." [A laugh.]

Sir *Gilbert Heathcote*, was not satisfied with the conduct of ministers at this time. Did they offer any reduction of their places, the unmerited emoluments of which excited so much disgust? He was sorry to say that their policy was of a different description. It was stated, that while the people pretended to seek reform, they intended to effect a revolution. He was of a different opinion. Twenty years ago he had voted for parliamentary reform, and he had no such intention, nor

did he believe the people had. He was satisfied that the present laws were perfectly adequate to the security of the country, and therefore that such extreme measures as were now proposed were unnecessary. If the danger was so great, why had not parliament assembled sooner? The hon. baronet proceeded to deny the necessity of these measures at the present time, by drawing a comparison between the settled state of Europe now, and the convulsed and disorganized condition of it when similar measures were last resorted to.

The petitions were ordered to lie on the table.

HABEAS CORPUS SUSPENSION BILL.]

Lord Castlereagh moved the order of the day for the first reading of this bill.

Mr. *Bennet* said, he would oppose in every stage this arbitrary, impolitic, and uncalled-for measure. After what had passed in the House that night—after the statements of various members, and from various parts of the country, he was surprised that the noble lord opposite should move the first reading of this bill as a matter of course. He was surprised that no defence was offered, that no explanation was given, that no facts were stated, for the purpose of inducing the House to enact a measure which suspended all the benefits of the constitution, which enslaved the country, and placed the liberty of every man in it at the disposal of ministers. If it could be shown that nothing else would save us but the measure in contemplation—if it could be proved that the ultimate security of the nation demanded a temporary suspension of its rights—if a case of strong and paramount necessity could be made out, he would be the last man in the House or the country to oppose a concession of increased power to the government. But, he would ask, had any such case been made out? Had any danger demanding the proposed remedy been clearly substantiated? He had a few observations to make on the report as laying the ground of the powers claimed by ministers, in which he was anxious not to be misunderstood. He would not discredit that report, nor the members who composed the committee from which it originated, although he was surprised that his right hon. friend (Mr. Ponsonby) should have disgraced himself by accepting of a place in it, and sitting in the same com-

mittee chamber with the noble lord opposite. Could his right hon. friend think himself in safety with the noble lord? [Hear, hear!] He meant no reflexion on the private character, but alluded to the public conduct of the noble lord. Did his right hon. friend not remember the noble lord's conduct on a former occasion, when he induced his right hon. friend to grant him his support? The noble lord came down to the House at the beginning of the last war against the people of France, and by professing to have no designs against the people of that country, by declaring that there was no intention in the allies to force upon it a government, by stating distinctly that there was no wish entertained to restore the old abuses and the Bourbons, he procured the support of his right hon. friend. He made all these professions, and produced these effects by them, at the very time that he had a declaration in his pocket that belied them: he declared there was no engagement to interfere with the choice of the French people, at the very time that he had made this country a party to an alliance for the restoration of the family they had chased from the throne. His right hon. friend should have remembered these things, when he was nominated a member of a committee in which the noble lord sat. He was free to say, that had he been nominated a member of that committee, no inducement on earth would have led him to risk his character by acting with the noble lord [Hear, hear!].

He would now enter into a brief examination of some parts of the report, the charges it contained, the alarm it was calculated to spread, and the manner in which it was drawn up. He would, in doing so, declare, that he was perfectly unbiassed; that he belonged to no party; that he would make his strictures upon it, not as a party report, but would view it as coolly as if it referred to the Popish plot. It must, in the first place, excite some degree of suspicion and jealousy against it, that it was drawn up on *ex parte* evidence, and resembled so much other reports, the allegations of which were found to have been false or grossly exaggerated. In 1794, charges of the same nature were brought forward, the characters of individuals were disgracefully traduced, accusations of treason were levelled against them; they were sent before a jury of their countrymen, with all the suspicion

attached to them, arising from a previous sentence of condemnation by a committee of parliament: and in the face of parliament, that had declared them traitors, they were acquitted; no treason was found; the evidence was declared false or insufficient. This was not all; another report was drawn up by a secret committee in 1812, that contained charges against individuals. When its allegations, however, came to be examined on oath, nine-tenths of them were found to be false. This committee itself was divided about the examination of witnesses, and the matter in dispute was laid before the House. His ever lamented friend, Mr. Whitbread, stated, that the Luddites had been excited in some instances by government officers, who were hired for their detection and apprehension; and he laid before parliament facts to confirm his statement. Had, therefore, a strict examination taken place, as he recommended, could any man doubt that parliament would not have disgraced itself by finding itself imposed upon by false testimony—by making up a report filled with falsehoods, and producing such a collection of trash as it had produced? If the evidence taken before two former committees of the House on these recent occasions had turned out so completely unfounded; if, when examinations were afterwards taken on oath, it was for the most part overturned, what security had we that the allegations on which we were now called to legislate, on which we were required to sacrifice the rights of the people, and surrender the benefits of the constitution; were founded in truth? Were we not authorized in believing, that the evidence before this committee was of a similar kind with that laid before others; and that this report might be as erroneous as former ones? He understood that before the secret committee only one witness had been examined, namely, the lord advocate of Scotland, who had produced a paper, which he begged might not be made public.

The first thing that he would remark upon was that part of the report which stated, that at the denounced meetings, the most blasphemous expressions and doctrines were openly advanced, profane and seditious parodies of the Liturgy and Holy Scriptures were recited. Blasphemous and seditious doctrines he detested and abhorred as much as any man, and would go to any reasonable length to put

them down ; but he thought our present laws were sufficient for this purpose, and would not consent to enlarge the powers of ministers under the pretence of stopping evils which the present laws could arrest. The laws against blasphemy were severe; why were they not enforced? Where was the attorney-general, that he did not institute proceedings against the guilty persons, and procure punishment? Was the whole nation to be exposed to the tyranny of ministers? Was a new code of despotism to be enacted merely because we had an attorney-general who was too timid, or too negligent in the performance of his duty?—The next thing on which he would make an observation or two was that part of the report which stated, that the disaffected looked out for those people among whom the greatest distress prevailed, to excite inflammation and discontent. If they looked out for distress, he was sorry to say, that they could too easily find it: they could not long search in vain. Thanks to what was called the Pitt system, distress and ruin met us every where, in the cities, on the high roads, and in villages. There was no necessity to go about for proofs of misgovernment. After what he himself had seen, after what many hon. members had described, after what met the view of every person in society, there was no further evidence required of the ruinous and impolitic nature of the system on which the affairs of the country had for the last twenty years been conducted. There was no other food for discontent necessary, nor any necessity for the haranguing the disaffected, to heighten complaints, or point out the means of relief.

He could not help remarking upon that plan of rebellion and insurrection which the report attributed to them as means of obtaining redress, or taking the management of the country into their hands. "A plan was formed," says the report, "by a sudden rising in the dead of night, to surprise the soldiers, and in the terror which would be thereby occasioned, to set fire to the town in various places, and to take possession of the barracks, the Tower, and the bank." How was this mighty project to be accomplished? Could a hope be formed of success? Could there be the least danger apprehended from such wild and absurd projects? Could they suppose that they could overpower a garrison without spreading an alarm in a case where a single watchman would not be

surprised? There were barracks in several parts of the town: there were barracks in the Park, and in other places: could they all be surprised at once? Could armed men be expected to start up from the ground in the neighbourhood of each of these garrisons, to surprise the sentinel, to attack a force of nearly 5,000 (which existed about town), to burn their barracks, to destroy every vestige of their power, to seize their arms, and turn them against their fellow-citizens? He was willing to admit that some wild, mad, desperate, and mischievous enthusiasts might discuss the probability of success attending such enterprises in ale-houses; that they might, in their ignorant and intoxicated societies, start such absurd ideas, but could there be any danger from such instruments? Was there not strength enough in the existing law to restrain their attempts; and because they were so frantic and foolish, was the liberty of the whole nation to be placed at the disposal of ministers? [Hear hear]. But it seemed that their next attempt would have been to blow up the bridges. How was this to be done? How were the strong works of Westminster bridge, Waterloo, and the rest of those massy structures to be overthrown? What preparations were made for the mighty undertaking? Why six men in a waggon, having an old stocking, in which there was a little powder [Hear, and a laugh]. Could these absurdities be repeated without exciting contempt and ridicule? This pompous display of burlesque design in the report, compared with the instruments and the means of execution, put him in mind of a performance which, perhaps, the right hon. gentleman opposite (Mr. Canning) would remember better than he could: he meant the attack on the Abbey of Quedlenburg [in the Anti-Jacobin]. To describe this enterprise in the style of that performance, there would be—Scene, Spa-fields—time, morning—enter waggon, with six men and the ammunition stocking. (a laugh.) From Spa-fields they must proceed to blow up the bridges, without sappers or miners; they must take the bank, defended by its guard; they must advance to summon the Tower, defended with artillery, and manned with soldiers; they must overpower all opposition, and take possession of the town. Was not such an absurdity, gravely advanced in the report, sufficient to throw discredit on the whole? Then there came the story of the pikes; and great danger

was apprehended from the manufacture of such deadly instruments. He believed firmly, that the account given of these pikes, in Mr. Hunt's Petition, was the true one—that they were fabricated, not to attack the citizens of London—not for the purpose of rebellion and insurrection—but to defend a pond against depredation. He lent a more easy credence to this story, because he remembered, that in 1794 (the secret committee of that day having like them discovered deadly instruments) there was said to have been found eight tailors and one pike in Tooley street in the borough. Mr. Graham, who went to search the house where these materials of rebellion were found, declared that no mother ever looked with more delight and complacency on the face of a favourite and only child than he did upon this pike. Was not this account of pikes sufficient to excite the contempt of every rational man in the country? Then came the mighty subscription, which was to support, encourage, and invigorate this dangerous conspiracy; and here it must be allowed there was a little improvement in the finances of rebellion since 1794. At that period the sum subscribed for carrying on the projects of treason was 9*l.* 16*s.*; now it amounted to no less an extent than 10*l.*, being 4*s.* more. He supposed, as they were to burn the barracks, they had previously robbed the military chest for such a supply. “Shame, shame, to those who could produce this absurdity to parliament, and, on the ground of its importance, call upon us for a surrender of our liberties.”

He now came to the conclusion of the report, where it stated, that, “few, if any of the higher orders, or even of the middle class of society, and scarcely any of the agricultural population, had lent themselves to the more violent of these projects.” A more vague, indefinite, obscure, and unjust insinuation was never heard; a more scandalous statement never appeared in the report of any committee. If there was a single individual why not mention it? Was there one gentleman, he would ask? Was there one nobleman? Was there one man of property? Was there one in the middle ranks of life? If there was any one he ought to have been named. If there was none, then this part of the report insinuated a falsehood. He charged the report with a gross falsehood [Hear, hear]. Was the House to resort to the same arts, to get quit of its errors, as another House. Was it to pursue a

mean shuffling course; was it to say that a word was brought in, or a word left out as suited its purpose? The whole people were in this report libelled and arraigned: they were traduced in their characters, and were to surrender their freedom by such trash as this—“trash” which was only fit to be trampled under his feet. Yet upon vague and absurd allegations, the invasion of the constitution was justified and measures were to be passed, “by which he might be apprehended and imprisoned tomorrow, by the command, and during the pleasure, of the noble lord; who declares that we are responsible to God and man for the encouragement we give to any plan for reducing his power or supporting the liberties of the people. Parliament, on such trash, was called upon to suspend the constitution, and to surrender the rights of the people into the hands of ministers. “Though those,” said the hon. gentleman “in whom I have the greatest confidence were to require such a sacrifice—though ministers, whose conduct I was convinced had always tended to promote the public good—though my own friends—made the demand, I would oppose them, till they showed, in the necessity of the case, a justification of their proposals. I will never consent, therefore, to surrender the rights of the people without such necessity into the hands of such ministers as the noble lord who would abuse the power intrusted to them, who had already embrued their hands in the blood of their country, who had already been guilty of the most criminal cruelties.”—

Lord Castlereagh spoke to order. He felt it his duty to call upon the hon. member to state which individual member of the present government had criminally imbrued his hands in the blood of his country?

Mr. Bennet said, he charged the members of his majesty's government, in their official situations, with having before called for the very same powers which they now required, and with having abused the trust then reposed in them, and afterwards covered their misconduct with a bill of indemnity.

Lord Castlereagh. I have then to say that if it has been asserted that I ever criminally imbrued my hands in the blood of my country, the hon. member has stated that which is false.

Lord Milton rose to order. He anxiously hoped the business between the hon. gentleman and the noble lord

would go no farther. He did not take upon himself to state what ought to be done, but he could not help recalling to the recollection of the House what had last fallen from the hon. gentleman. The hon. gentleman had then stated, not that the noble lord had criminally imbrued his hands in the blood of his country, but that ministers had acted criminally under the law for suspending the Habeas Corpus act, and had afterwards obtained a bill of indemnity.

Lord *Castlereagh* wished to know the nature of the imputed criminality. If he had been guilty of a crime of the nature of that ascribed (as he had understood) to him, it was that which no bill of indemnity could cover. He therefore repeated, if such conduct had been imputed to him, the hon. member had stated a falsehood.

Mr. *Yorke* submitted that it was open for the hon. gentleman to explain the words he had used. At present it appeared he had brought a criminal charge against the noble lord. It must be understood there was a wide difference between a charge of criminality, and a charge of having done that which was merely illegal. An act that was illegal might be justified, and a bill of indemnity given as soon as it was asked. It was very different where criminality was charged. If the hon. gentleman, having asserted this, meant to keep to his words, he ought to name a day on which he would bring the subject under the consideration of the House, and endeavour to make the charge out. If, however, he only meant to say, that the noble lord, as a member of the government, had been a party to measures which made it necessary that a bill of indemnity should subsequently be called for, in that case he should hope the language which had been used, might be passed over, as having unintentionally fallen from him in the heat of debate.

Mr. *Wynn*, however much he might regret that the charge should have been made at all, if he had heard the hon. gentleman correctly, he had not directed it personally against the noble lord, but against his majesty's government. He might have misunderstood his hon. friend, but the impression made upon his mind was, that he objected to trust the power now called for in the hands of ministers, who had already imbrued their hands in the blood of their country. It sometimes occurred, that a long debate took place on language used by an hon. member,

before it was ascertained what the expressions called in question really were. If he recollected what had been said by the hon. gentleman, his charge was directed against the government, for having done that which made a bill of indemnity necessary. To such a charge he begged that it might be understood, he was not in the slightest degree disposed to become a party; but still he must say he considered such language not to be disorderly, nor such as ought to have subjected him to interruption from the noble lord. He, however, begged again to say he could not admit the justice of the charge, either against the individual or the government.

Mr. *Brand* said, it certainly did strike him that the hon. gentleman had used the word "criminal." Whether the application of such language to the noble lord or to the government could or could not be justified, he would not stop to inquire: but at all events it had appeared to him that the word was not applicable to that with which the hon. gentleman had connected it. He did not think it could be used to mark that which he meant to express. What he intended to charge the noble lord and the government with, was clearly this, that they had done that under the law for the suspension of the Habeas Corpus act, for which it was necessary that a bill of indemnity should be brought in to screen them from the consequences. Now, saying this, he could not mean to accuse them of any thing criminal, as that would not be comprehended in the act of indemnity, which only protected them from actions which might otherwise be brought against them, on account of things done while the Habeas Corpus act was suspended.

The *Speaker* apprehended the point of order depended on this question: did the hon. member mean to charge his majesty's ministers in the aggregate with imbruing their hands in the blood of their country, or with other acts of criminality, or did he make this charge against one individual of the government? If the charge was made against the ministers in the aggregate, there was no breach of order; but if it was against one individual, then there was a direct departure from those rules which governed the debates in that House. The hon. member would perhaps be good enough to satisfy the House, in which sense his words were to be taken.

Mr. *Bennet* rose, in order to comply with the wish just expressed by the Chair

Thus called upon, he had no hesitation in saying,—but he begged to assure the House he would be the last man alive to retract any thing he might have said, from any regard for the consequences which might ensue, so far as they could affect himself,—he had, however, no hesitation in saying, that the charges in question were meant generally, and were not intended to be confined to one individual. When he had spoken of a minister imbruing his hands in the blood of his country, he had not meant to speak of the two hands belonging to any individual member of the government, but he spoke of all that administration in whose time those scenes had passed in Ireland, which he should ever sincerely lament, and under which this very law was called for. If he had known that to use the word “illegal” would have been more correct than to use the word which had been so particularly noticed, he should have been glad to adopt it. It had been remarked that the word “criminal” did not apply to any thing that could be covered by a bill of indemnity, and as it was with reference to this that he had spoken, it followed that “criminal” could not be the expression which he wished to use. The charge was certainly meant to be general.

Lord *Castlereagh*, when he interrupted the hon. member, had thought the charge which he had made was directed personally against him. Now that he had heard the hon. gentleman say he meant it generally against the government of which he was a member, he had no cause to complain. He was satisfied the hon. member had not retracted any thing that as a man of honour he had asserted and was bound to maintain. He had no right personally to object to any charge which the hon. gentleman might think proper to bring against that administration, but he had no hesitation in saying that the charge of cruelty if preferred against it, was false. In doing this, however, he meant no offence to the hon. gentleman, and he trusted the course he was taking was not disorderly. The hon. gentleman, he thought, could not complain on the present occasion, as in describing the charge in question to be false he did not deal more harshly with that, than the hon. gentleman had dealt with the report of the committee, which had the sanction of so many of the hon. gentleman's friends, who indeed were parties to it.

Mr. *Bennet* had not charged ministers

with cruelty in their arrests under the law for the suspension of the Habeas Corpus act, but he had complained of the cruelties which had occurred in the Castle-yard at Dublin, and under the eyes of some members of the government.

Lord *Castlereagh* again spoke to order. The hon. gentleman was again speaking to facts alleged to have occurred in Ireland. If the hon. gentleman was disposed to make these the subject of discussion on any future day, he should be ready to meet and to answer the accusation now insinuated; but he would appeal to the House, and to the feelings of the hon. gentleman himself, if the peace of the country ought thus to be trifled with, and if it was right that the characters of public men should thus be assailed by insinuations mixed up with other matter.

Mr. *Bennet* avowed, that he did not mean to pursue the subject; but as the noble lord had met his charge of cruelty with a negative, he thought himself called upon to state some facts in justification of his conduct in making it. He might have been betrayed into too great a warmth of feeling, and might have used violent expressions, which he was sure the House would excuse. He meant to say, and he persisted in the declaration, that it would be fatal to public liberty to put the powers which the bills before the House would convey if they passed into acts, into the hands of men who had formerly possessed them, and who had outraged the rights of the people, and notoriously abused their trust. He therefore should feel it his duty to oppose this bill in every stage.

Mr. *Frankland Lewis* rose to explain the grounds on which he should feel it his duty to give his vote. He did not come to the decision without serious regret. He should vote for the suspension of the Habeas Corpus act, with a full conviction that he was parting for a time with the great safeguard of our liberties. He should give his vote with reluctance, but he decided as he had done, because, in the balance of evils between a temporary suspension of our rights and the endangering their ultimate security, the former was the least formidable. He had only to choose between evils. He was anxious to show the reasons why he thought so; but he was sensible that in enlarging upon them he should merely be going over topics already discussed. He would vote for the suspension, therefore, because he thought every establishment that was connected

with the freedom, the happiness, the order, or the interests of society, was in imminent jeopardy. Whatever might be attributed to the committee, it could not be denied, that it was composed of men of integrity and worth, men anxious to perform their duty, and men who, without the means of judging, would never have come to the conclusion that they had done. The House must take upon their authority, what they took upon proof. If it was necessary, however, to look for proofs of disaffection and danger, could we not see every where flagrant and lamentable proofs? Did we not see them in the wide dissemination of books of the most dangerous tendency and blasphemous character; abounding in the most demoralising maxims and the most fatal doctrines, tending to the overthrow of religion, of law, of order, and of property? Could any one shut his eyes to the profane parodies of the most sacred services of the church obtruded upon general attention, sold at every corner, spread not only over the population of the towns, but transmitted by post to the country, and scattering infection over the most secluded villages? These things justified the greatest apprehension. This dangerous spirit that was gone abroad was not new; it was a remnant of what was seen in 1795. It was then suppressed, but it was cherished in the bosoms that first conceived it. It was then, as now, masked under the character, of reform [Hear!]. Reform had allied itself now with the dangerous sect of the Spencean philanthropists. This sect might be despised for the absurdity of its doctrines, but it was dangerous from their captivating quality: it was as formidable in one sense as contemptible in another. From these sources proceeded our danger. But what was its magnitude? Was it of such amount as to justify the suspension of our most sacred law? He would not enter into a comparison of the dangers formerly and now; although he did not see that war very much increased them, or rendered a suspension bill more necessary then than now. What were the dangers we had at present to contend with? They proceeded from the public distress, which must always generate public discontent. Demagogues had fixed upon the discontents to turn them to their own use; and he was sorry to say, that they had no limit but our distress. The pressure arose from various causes, which did not admit of an immediate remedy; it

arose from the change in our currency, from taxes, from the state of agriculture, and a variety of other sources, that legislation could not immediately reach. It had been said, conciliate; but how conciliate men who entertained the Spencean doctrines, and whose system could only be realised by a general distribution of the property of the country into new hands and different shares? A most important question he admitted it was, whether the laws already in force were or were not sufficient to provide against the danger. This was a question which he certainly did not feel himself competent to resolve; but what he knew was, that whenever the country had been considered to be in imminent peril the Habeas Corpus act had been suspended [Hear, hear!]. What he meant was, that there never had occurred a crisis of great internal commotion, or of external war, in which this measure had not been resorted to. In his opinion an equal danger existed at the present moment. It was not enough to revive the act of 1799, at a time when all law and all property were exposed to the same hazard.

Mr. *Yorke* believed, that this was the first time in the history of parliament, that a bill sent from the Lords to that House had been objected and argued against, without its being read. How was it possible its contents could be ascertained by the House? He objected to this mode of proceeding, and entreated the House to suffer itself to be informed upon the subject.

Mr. *Smyth*, of Cambridge, said, he had waited with great attention upon the reasoning of ministers and their advocates, to discover any thing like an adequate reason for the adoption of the violent and dangerous measures now proposed in the shape of a bill for suspending the constitution, for shutting up the mouths of his fellow-subjects, groaning under the weight of their taxations and sufferings. Their hypothesis he could not allow. They took it for granted that the country was in that alarming state of insubjugation that called for these measures; and a right hon. gentleman (Mr. Canning) had said on a former night, that it was matter of historical notoriety how frequently the active few had overpowered the heedless many, and effected by this activity the overthrow of powerful states, in despite of the wishes of the greater part of the population of such countries. The argument, he must observe, bore strongly

against the part he feared the ministers had acted in the transaction. If they had, as he found, been inactive and had slumbered upon their posts, they had ill performed the part of the accredited watchful guardians of the public welfare implicitly confided to their care. Great was the responsibility they had drawn down upon themselves, and severe must be the censure of the country upon that negligence. The French Revolution had been adduced as an instance to illustrate the right hon. member's hypothesis; but he would tell him, instead of the active few in France, it was the active many, who wrested from the powerful and tyrannic few that reform in their constitution, if such it might be called, which had been loudly called for, until at length the public became impatient, and in their hatred of the tyranny of past times, bore down all the mounds which formed and supported the fabric of society. And yet all this was done notwithstanding that the rulers in France never had wanted those extensive powers to arrest and confine suspected, or indeed any description of persons. If the noble lord or the right hon. gentleman wished to know the real cause of the French Revolution, he would tell them it originated in the want of an Habeas Corpus act in that kingdom—in the want of a constitution adapted to the progressive improvement and information of society at that period. Frenchmen then, like Englishmen at this day, would have felt such an act as the great bulwark of their liberties, their pride and glory. Great terror had been affected at the progress of the Spencean doctrines. He felt convinced they would have fallen innocuous had they been published during the ordinary state of society; but in the present irritated, and almost frenzied crisis, these doctrines no doubt had operated with increased effect upon the minds of starving labourers, artificers, and mechanics. Upon the complaint respecting the atrocity and blasphemous tendency of the libels, and other productions issuing from this body of theorists, he had only to ask why were they not prosecuted by the proper law officers? The attorney-general had conceded to these productions such uncommon "addressfulness" (he believed this was the term applied) that it was impossible to fix upon the treason. But would it not be far more just and fair, if it were found so difficult to frame an indictment upon the offence, to amend the defect in the laws as they at present stood?

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This would be more equitable, than for the alleged offences of a few, to rob the community of the benefit of the trial by jury. There had been certainly much done to alleviate the present distresses of the country. When had the hand of charity been so widely and generously extended? But if at a time of universal distress, a just measure of gratitude had not been returned for the unprecedented benevolence which it had awakened (and never had benevolence opened its arms more widely) was this to justify them in making so alarming an inroad on the best securities of the constitution? The principle of our criminal code had ever been, that ten guilty ought to escape, rather than that one innocent man should suffer. The proposed measure, however, went upon a different principle; and assumed, that no matter how many innocent persons suffered provided public security was attained. It was evidently a great departure from the maxims of our ancestors, and one of which he knew no examples, unless in times of rebellion or threatened invasion by a foreign foe.

Mr. Robinson could not think there was much weight in the first objection raised against the committee of secrecy,—that his noble friend (lord Castlereagh) was one of its members. The hon. gentleman opposite (Mr. Bennet) had seemed to be surprised that a right hon. gentleman near him, one of his own friends (Mr. Ponsonby) could venture to sit in the same chamber with the noble lord. If, indeed, he really thought the right hon. gentleman could have any difficulty in doing this, if he thought his right hon. friend could not but suspect the motives of the noble lord, he (Mr. Robinson) could draw no other inference from the unanimity which had ultimately prevailed on the subject of the report than this, that that report had been extorted by the weight of evidence which had been submitted to the committee. For he could not think where it was supposed such grounds for jealousy existed, that any thing would have brought their labours to such a termination, but the conviction that the allegations set forth in the report were thoroughly justified by the facts which had been disclosed. If he stated this to be the impression that he had, it would be saying but little, as it might be supposed that he had gone into the committee with a bias on his mind, which naturally inclined him to take this view of

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the question. But, in justice to himself, he must say, that this supposition, however natural, was not well founded. He must say, that up to the time when the committee was appointed, he had not felt much alarm on the subject of the disaffection which was stated to pervade the country. He had not believed that arrangement, and those extended combinations to be in existence, which had been developed in the progress of the inquiry. He had therefore gone into the committee with a mind prepared fairly to estimate the value of the evidence which might be given before it, and impartially open to conviction.

It was very common to throw odium and ridicule on the reports of the committees of that House. It was not difficult to do this, as from a variety of circumstances, it was frequently impossible for them to make such a statement as should on the face of it carry conviction to every one. They were, for instance, in many cases compelled to keep names back, and to withhold from the public, for a time, various facts on which their conclusions were founded; and thus situated, the utmost they could do was, to draw up such a report as the whole of the members of the committee could subscribe to, and leave the public to draw their own inferences from the allegations put forth under the sanction of their authority. Some gentlemen were disposed to undervalue the report as to the extent of the dangers which called for the interference of parliament, and in particular as to the plans of the Spenceans. Than these, it was said, nothing could be more absurd; but it seemed to be forgotten, that contemptible as they were, they had once already been the subject of the report of a committee of secrecy. It had been reported to the House in 1801, that the existence and the principles of such a society demanded the vigilant attention of parliament. The society of that day which had thus been noticed, might, in some trifling points, be distinguished from that which now existed, but these were of little or no importance. He believed, for instance, that the persons then associated were called Spensonians instead of Spenceans, and the principles asserted at the two periods might vary in some few instances, but essentially they were the same, at least so far as regarded the pretended right of the people to a general distribution of the property of the coun-

try. To this extent the disaffected of that day had gone;—the projects therefore of the Spenceans were not now to be considered as new. Formerly these persons were made the instruments of mischief, which was happily connected by restrictive laws. These restraints, the principles of which he had been speaking, had survived, and after being laid by for some years, were now again openly brought forward. That they had formerly been in active operation,—had been checked by the restraints imposed by parliament, and had now again made their appearance furnished strong reasons in support of the measures now recommended to the adoption of that House. An hon. member had said on a preceding night, that the Spenceans would have been unworthy of notice, had they not been persecuted into importance. Where, he would ask, was the persecution? It was not to persecution that they owed their importance; but such doctrines would always be formidable to the state in the hands of wicked men, because they would always be most palatable to the ignorant. They went to amalgamate in the ignorant mind all that was bad, with all that it might be hoped would counteract that which tended to evil, an amalgamation most subtle in its progress, and most tremendous in its effects.

But the Spenceans were represented to be too few in numbers to be of much importance. A noble lord had supposed there might be about a hundred fanatics of that description; he (Mr. Robinson) knew not what information the noble lord might have received on the subject, but was inclined to believe if he had added thousands to the hundred, he would not have over stated the fact. Those who professed the principles of the Spenceans, were not merely those who belonged to societies so called. Many others who met under different names had the same object in view. He was far from wishing to speak against those societies, which honestly met for the purpose of seeking by constitutional means, to redress what they regarded as evils in the state; but he thought it right to state that there were many associations called Hampden Clubs in different parts of the country, which, though outwardly disguised, as institutions of a different character, in reality came to the same thing. That which to him appeared most of all alarming—that which he thought most loudly called for the in-

terference of parliament, was the system of administering unlawful oaths, which was now found to be so widely extended. By these, all that was base—all that was weak and wicked in the passions of men, had been combined, and brought to unite in the cause of mischief, with that little of good which might still remain to those who were prevailed upon to take these oaths. Among those who were thus worked upon, there might be some who were not disposed to go along with the conspirators to push matters to the last extremity, and who, when acquainted with the dangerously extended and wicked designs which their associates had formed, would be inclined to abandon the cause, and return to the paths of honesty. These persons, however, when about to do this, remembered what they had sworn, and were clinched by the unlawful oaths which they had taken. It might seem like a contradiction, but it was this feeling of conscience,—this vestige of a good disposition which thus held persons not originally intending to do what was wrong, fast to those whose designs were the most wicked, that he considered was most to be dreaded. He held there was nothing in the combinations known to exist which had yet transpired, that tended so much to make these societies formidable. Another most suspicious circumstance was this;—the societies of which he had been speaking, kept lists not merely of their members, which it was natural to expect they would do, but also lists of those persons who would not unite with them. Why should they do this if some mischief were not intended? Such a practice would never have been resorted to, had it not been their intention whenever they had the power, to wreak their vengeance on those who were not of their party.

An hon. gentleman (Mr. Smyth of Cambridge) had said the measure now in contemplation had never before been resorted to but in time of war, or in the case of open rebellion, and that consequently our present situation was very different from what it had been at any former period, when the suspension of the Habeas Corpus act was thought necessary. He admitted the absence of war made a great difference between the present and former situation of the country, but because such difference existed; it did not follow that the bill was unnecessary. Formerly it was argued the disaffected looked for assistance from abroad, which they could not hope

for now. This was an argument (as it appeared to him) for rather than against the bill, for if, as heretofore, the enemies of the state no longer depended upon foreign aid, what was the fair inference? Why, that they felt stronger in themselves than they had done till now; as before they never hoped to succeed but by means of assistance from abroad. He did not mean to say, that in reality they had any prospect of success. God forbid that he should for a moment entertain an idea that such was the case, or feel alarm for such imaginary peril; but still he would contend, that the conduct of those of whom he had been speaking as distinguished from that of those who had formerly cherished similar designs, proved greater confidence in their own strength, and made it the more incumbent upon parliament at once to put them down.

Speaking thus, he endeavoured to express what he most sincerely felt. When every one knew that such conspiracies had been formed, and no one denied that something of the kind was in existence, though different opinions as to the extent of the danger might be entertained, it was the duty of that House to be on its guard in time. He would treat with tenderness the deluded, carefully distinguishing them from the deluders, but he thought a measure like that now submitted to parliament was due to the well disposed, and the House owed the protection such a law would afford to those who were not of the number of the wicked. An hon. baronet had said he wished the existing danger to be met by calling on the people to arm themselves, and thus form a new kind of police. Possibly to some persons this might appear a very good plan; possibly if adopted it might fulfil all the wishes and expectations of the hon. baronet, with whom it originated, but he must observe that the persons thus called out, could not resist those to whom they were opposed without fighting, if resistance should become necessary. He therefore considered this would be a very dangerous experiment. Thus to array large masses of the people in hostility to each other would be the way to create a civil war. To prevent this he thought it would be better to strengthen ministers by giving them the powers they required. Those who lived in parts of the country where no disturbances had occurred, might doubt that there was a necessity for having recourse to such a measure. He might have said so for himself,

judging from what he had seen, in that part of the country where he resided, and doubtless many other gentlemen might do the same, but it was impossible to contemplate the introduction of associations like those of which he had had occasion to speak, into so many places, as it was known had received them, without feeling a species of dread for the consequences which naturally led the mind to search for new laws to meet the evil. For himself he must say he did not think any thing short of the measures proposed by government would suffice to restore tranquillity to the country, and enable those who did not wish to engage in schemes which must end in their ruin, to live unmolested, and try, by the exertion of their honest industry, to lift themselves above the calamities which they had now to deplore, and which though they were made by the bad an excuse for outrage, had not yet induced the good to approve of their proceedings. Those who thus withheld their countenance from those acts urged and encouraged by the desperate and the disaffected, must look to such an act for security, and the protecting arm of parliament ought to be stretched forth in their behalf.

Lord Althorp considered it almost impossible for any man to argue fairly on the present question without some knowledge of the facts upon which the report was founded. With respect to the amount of the apprehended danger, there certainly was room for much diversity of opinion; and it could not, he thought, be denied, that the absurdity of a doctrine was at least one circumstance against the probability of its success. When called upon to legislate in former emergencies, some men of note were, or were supposed to be, participators in the conspiracy: here it was admitted by the report, that there were few, and according to the new construction of it, none of that description, who were even remotely connected with it. In the present case, if one obscure delinquent were removed, it never could be discovered whether he had not an equally obscure successor. The only circumstances which he had ever known that could justify such a measure, were those which took place in the year 1795. To some of the minor and subsidiary measures of the noble lord he had no objection, for he disliked all public meetings convoked by unknown or anonymous authority; but he was decidedly hostile to a suspension of the Habeas Corpus act, under the existing

circumstances. We might boast of an admirable, and perhaps, an unequalled system of magistracy, but magistrates themselves did not always distinguish between what was directed against the government, and what was directed only against the ministers. It was remarkable, that at the time of the mutiny in the fleet, this measure was not deemed necessary. A connexion, was however, then supposed to exist between the mutineers and persons in the metropolis, and other districts of the country: but the circumstances were still thought insufficient by the ministers of that day to warrant such a proceeding, because it was not believed that the disaffected held any correspondence with foreign countries. It was not judged proper, therefore, even at that period of alarm, to remove so important a bulwark of the constitution. Upon the most mature and deliberate consideration he felt himself conscientiously called upon to vote against the bill.

The *Lord Advocate* of Scotland said, he should not trouble the House at any length, but there were some circumstances that had come within his knowledge, which he felt it his duty to communicate. In that part of the Island where he resided, his attention had been called so early as last November, to the efforts that were assiduously made for disseminating publications which contained the most reprehensible matter, though not of such a nature as authorized him to bring the subject under the cognizance of a court of law. The object of those publications was, to familiarise the minds of the people with a contempt for the heads of the government, with a contempt for the government itself, and with a contempt for that House. It was endeavoured to make the manufacturing classes, who were out of work, instruments in the hands of designing persons, to overturn the government. Petitions also were sent down to Scotland, especially to those districts where the manufacturers had no employment; and along with those petitions, speeches ready made, to be delivered at public meetings that were to be convened. Intelligence was received that a settled system prevailed for inflaming the discontented and distressed into open violence. Directions were accordingly given to watch those persons who had been conspicuous in the seditions of 1795; and early in January information came, that secret meetings were held in Glasgow, by those very individuals. He was further informed, that a secret conspiracy was organized

in Glasgow, which had communications with societies in this country.—That conspiracy was held together by means of a secret oath which he would read to the House:—

“In the awful presence of God, I, A. B. do voluntarily swear, that I will persevere in my endeavours to form a brotherhood of affection amongst Britons of every description, who are considered worthy of confidence; and that I will persevere in my endeavours to obtain for all the people of Great Britain and Ireland, not disqualified by crimes or insanity, the elective franchise at the age of 21, with free and equal representation and annual parliaments; and that I will support the same to the utmost of my power, either by moral or physical strength as the case may require: and I do further swear, that neither hopes, fears, rewards, or punishments, shall induce me to inform or give evidence against any member or members collectively or individually, for any act or expression done or made in or out of this or similar societies, under the punishment of death, to be inflicted on me by any member or members of such society. So help me God and keep me steadfast.” [Hear! hear! from all sides of the House.]

That oath was administered to many hundred individuals in the city of Glasgow and its neighbourhood. Notwithstanding, however, the communication of that intelligence, it was not in a form which authorized him, at that time, to give directions for arresting the parties. To show their malignant intentions, he would mention the following fact. Some persons to whom the oath was about to be administered, felt scrupulous upon that part which related to the using of physical strength, and to that which declared the penalty of death if any thing was divulged. A meeting was immediately called, and a motion made to leave out those words; but it was rejected unanimously, and the original oath adhered to. The result, however, had been, that a variety of persons were now apprehended; but he should be imposing on the House, if he were to state, that because those individuals were taken, one-tenth of the persons were apprehended who were implicated. He pledged his character as a public officer, that it was known to government when those individuals were taken, that there were others moving in a very different sphere of life connected with the conspiracy, some of whom he trusted would yet be apprehended.

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Believing, therefore, that the conspiracy was widely extended in Scotland, and not confined to Glasgow, he never delivered a more conscientious opinion than that the passing of the present bill was necessary, to prevent the effusion of the blood of the citizens of this country. The whole mass of the population was so contaminated, that if a riot were to commence, it would be impossible to foresee what might be its termination. He deeply lamented the great misfortune which called for such a measure; but in the best days of our constitution it had been resorted to, for the purpose of protecting that freedom we now enjoyed. No man venerated the principles of the revolution of 1688 more than he did, and it was because he did so venerate them, that he implored the House to suspend for a time that great bulwark of our constitution [Hear, hear!].

Lord Milton said, he felt no regret at a charge made against him that he had been duped by the papers laid before the committee of secrecy. He still retained his opinion as to the nefariousness of certain designing persons in the country, nor did he want the assertion of the learned lord to convince him of the dangerous nature of the proceedings of the disaffected. He was, indeed, considerably surprised at the course taken by that learned lord, for if he recollected right, the members of the committee of secrecy had, at the express request of that learned person, agreed to expunge from their report the oath which he had now divulged. This was extraordinary, and required explanation. He did not know, however, but circumstances might since have arisen to render its publication less likely to prove detrimental to the public service [Hear, hear! from ministers]. Still it looked like a *coup de main*, and as if the oath had been kept out of view to be brought forward on the present occasion [No, no! from ministers]. He had stated before, that he had no doubt of the nefarious objects of many designing men throughout the country; but he denied that the intentions of such persons, however wicked, were a sufficient ground for removing the great bulwark of our liberties. It was not sufficient to say, that bad men had, in their vain imaginations, contemplated the overthrow of the government; for when was the time that some persons did not exist whose desperate folly or wickedness would lead them to subvert all established order? It ought to be made out, that the danger likely to

accrue to the constitution was such as could not be resisted by any other means than by the suspension of that very constitution. This suspension act was now, for the first time, with one single exception, attempted to be passed in a period of profound peace; and the exception was itself a precedent that spoke strongly against the present measure; for it was occasioned by bishop Atterbury's plot—a plot in which a great part of the leading gentry and many of the nobility were in different degrees involved [Hear, hear! from some noble lord whom we could not see under the gallery]. The noble lord under the gallery, did not seem to relish the subject; but it was nevertheless quite certain that the nobility and gentry of that day were, to a great extent, adverse to the reigning family. And, as to the quality of the plot itself, he would read a passage from the speech of George 1st, on opening the session of 1722, which would show at least on what ground the ministers of that day asked for the suspension of the great characteristic of the constitution. The speech says, that “the conspirators have by their emissaries, made the strongest instances for assistance from foreign powers, but were disappointed in their expectations. However confiding in their numbers, and not discouraged by their former ill success, they resolved once more, upon their own strength, to attempt the subversion of my government. To this end, they provided considerable sums of money, engaged great numbers of officers from abroad, secured large quantities of arms and ammunition, and thought themselves in such readiness, that had not the conspiracy been timely discovered, we should, without doubt, before now have seen the whole nation, and particularly the city of London, involved in blood and confusion.” [Cries of Hear!]. How different was this state of things from the present, when we were all so alarmed at the miserable plots of these wretched Spenceans. Could any man doubt that the ministers of those days would not have acted like the ministers of the present time? In a time of real and imminent danger, they were so far from showing an eagerness to suspend the Habeas Corpus act, and so little did they distrust the loyalty of the majority of the people, that they did not come to parliament for any extraordinary powers till near six months after the discovery of the conspiracy. Could any man be blind to the immense difference between the im-

portance of that conspiracy and the designs of the present plotters against the state? At that time the duke of Norfolk, the earl of Orrery, and the lord North and Grey, were among the conspirators, and the well-known duke of Ormond was himself to head an army of foreign invaders? Such was the motive, and no less a motive was sufficient to induce sir Robert Walpole to suspend the constitution; and for this reason, as well as for many others, none could doubt that sir Robert Walpole was a great man. In the year 1744, there was another suspension of the Habeas Corpus act; on which occasion lord Chatham and lord Lyttleton (then Mr. Pitt and Mr. Lyttleton), and another person, whose name it was not necessary for him to mention, had strenuously opposed it. Yet the suspension was then only for three months; and, indeed, so great had the jealousy always been of preserving this great prop of our liberties, that even in that dangerous year, after the Revolution, parliament would not suffer it to be suspended for more than three months, and that by successive renewals of a month each time. All these circumstances made a strong impression on his mind, that our ancestors set a greater value on this shield of the constitution than their careless and forgetful descendants. He said forgetful, because they appeared from their indifference to have forgot how, and at what cost, that constitutional bulwark had been obtained. It was a curious circumstance, that the want of such a bulwark had been one of the great causes of the French revolution. The people of France had been anxious to acquire such a safeguard for their liberties, and if the monarch had not by mistaken men been induced to refuse such a concession, perhaps that revolution would never have happened. But, however that might be, he would ask, whether any man in his senses could think of comparing the present state of England with its state in 1793? At that time there was an active correspondence with clubs in this country, and direct incitements were held out from foreigners, that recourse should be had to physical force. Oaths were framed, and passed current, quite as terrible as that quoted by the learned lord, and depots of arms were proved to exist in different places. Under such circumstances it was thought proper to suspend the Habeas Corpus act, and yet that suspension was suffered to expire; nor was it renewed even on the occasion of the

dangerous mutiny in 1796. He could not but think that too much importance was attached to the wild notions of these visionaries, of whom so much had been said. History would show, that neither in this or other countries was the Spencean plan without a parallel. Doctrines as absurd, and equally assuming religion as their basis, had been frequently propagated. Germany had its Anabaptists—men who contemplated schemes of visionary reform with a bible in one hand, and a battle-axe in the other; and yet what became of them? They were let alone, and their opinions died away of themselves. Our own country presented instances of enthusiasts not dissimilar. There was the insurrection of Wat Tyler, which though it had not religion for its basis, yet had its origin in some scheme of general reform, of a nature not very different from that of modern times. The noble lord concluded by saying, that he should give his vote against the bill; for to do otherwise would, he thought, be voting against his country. “I feel,” said the noble lord, “great pain in giving this vote, though I cannot express the cause of it” [Hear, hear!]. The noble lord sat down apparently much affected. He was supposed in the last sentence to allude to a difference of opinion between himself and his father earl Fitzwilliam.

The *Lord Advocate* of Scotland explained. He said it was only that morning that his majesty's government had thought it advisable to publish the oath which he had read to the House.

Mr. Wynn expressed his regret that parliament had not been earlier assembled to meet the difficulties with which ministers were undoubtedly surrounded. That the spirit of turbulence had not subsided was evident from daily experience; and only that morning he had seen posted a handbill with the inflammatory title of “*The Triumph of Justice over Unjust Judges.*” He was convinced that, had government been more alert, the police might have been placed upon such a footing as to render the aid of the military necessary only in extreme cases; but no investigation of the subject had been instituted, and it might become the duty of parliament to interpose; indeed, upon a late occasion it had been his wish that the House should have taken the punishment of certain civil officers who had been grossly negligent of their duty into its own hands. He complained that efforts had been equally

wanting to embody the yeomanry in the disturbed districts. Ministers might say, that some time since such a remedy would not have been proportioned to the disease; but their excuse was like that of the man who, after his house was consumed, said that he had not sent for the engines because the fire might have been extinguished at first by a wash-hand-basin of water. The real question was the degree of danger to which we were exposed. Was the danger sufficient to justify the measure? In his opinion it was; and as long as danger existed, the nature of it, whether external or internal, was of no consequence. It appeared, from undoubted evidence that the most treasonable correspondence had been carried on by means of clubs and delegates; and a connexion was thus kept up between them as the deliberative, and the people at large as the executive body. Surely this was sufficient to induce the House to arm ministers with additional power; and to those who required evidence, he should reply, that if it were disclosed all clue to detection would be destroyed. He illustrated this observation by reference to the case of Despard. Some hon. members had referred to periods of our history, when no suspension of the Habeas Corpus act was thought necessary; but at those times no such general disaffection and discontent existed as at the present moment. If it was allowed to continue unchecked, the consequences might be dreadful; the lawless scenes of 1780 might be restored; and, when once the shedding of human blood had commenced, the popular fury was uncontrollable. The noble lord who spoke last had adverted to the mutiny at the Nore as a case in point, forgetting that the mutineers had not only no correspondence at home, but none abroad; and that a cordon of troops had been stationed on the banks of the river to intercept any communication, should it be attempted. He had referred also to the Anabaptists of Germany, whose doctrines, he said, had peaceably expired, forgetting that those doctrines had existed as long as the individuals who entertained them, upon whom the most grievous tortures and the most cruel deaths had been inflicted. The instance of Wat Tyler was equally unfortunate; for the rebellion had not been terminated without the greatest personal danger to the sovereign, nor until 30,000 had taken up arms against him. Those who ridiculed the

recent disturbances and the premeditated attack upon the Tower, would do well to recollect that not many years had passed since a stronger fortress in another country had yielded to the onset of an infuriated rabble. The suspension was necessary to stop the progress of the evil; and he believed that no man would wish to delay until it was necessary to meet the organized rebels in the field of battle. In the present times many dangers threatened that had not existed at any former period; and he conscientiously gave his support to the bill, because he felt convinced that it might be the means of preventing an actual rebellion.

Sir *Samuel Romilly* would not long occupy the attention of the House, but he could not prevail upon himself to give a silent vote upon the most important question that had been discussed since he had had a seat in parliament. All parties were agreed upon the inestimable value of that part of the constitution which it was proposed for a time to annul: and there were few that denied that at present great evils existed, and that those evils required a speedy remedy. The question was therefore reduced to a very narrow compass, viz. Was this a case in which it was necessary to have recourse to such a remedy, and was the remedy adapted to the nature of the evils? The first point must depend upon a preliminary question, whether other means had been duly resorted to, and whether those means had failed of success? The noble lord had repeatedly declared, that the utmost vigilance of ministers had been exerted; but it was now quite clear, from subsequent intelligence, that that utmost vigilance, in truth amounted to nothing. It was admitted by the noble lord, that these traitorous designs had been proceeding for a considerable time before the aid of parliament was required; yet, although ministers had been fully apprized of the attempts upon the loyalty, the morals, and the religion of the people; though they had been in possession of the libellous and blasphemous publications so industriously circulated among the lower orders; yet up to the present moment, not a single prosecution had been instituted against the authors. The excuse of the attorney-general for this procrastination was most extraordinary and curious: in truth, he said, the libels laid before him were so numerous, that he

could not see where prosecutions were to end. Where they were to end, he (sir S. R.) did not pretend to decide; but it was not very difficult to determine where they ought to have begun. The libels might be numerous, but if they were, nothing had been publicly known of them till lately; and the more numerous the more urgent was the necessity that some of the authors should be severely punished, as a terror and an example to the rest. He entreated the House to recur once more to the consideration of all that had occurred, previous to the suspension of the Habeas Corpus act in 1794. Very different then had been the conduct of government, for that measure had not been suggested to the House until after prosecutions had been instituted for sedition at every quarter sessions in all corners of the kingdom. At that period, at least parliament had not been required to suspend the rights of the subjects of the crown until recourse had been had to the existing laws. He much doubted, indeed, if those laws had not been too severely enforced, some notorious criminals ought to have been selected; instead of the indiscriminate and sweeping punishments awarded against every petty offender. He was surprised to observe the smile of contempt on the face of the hon. and learned gentleman intended as it was to deride the censure of conduct directly opposite to that which he had thought fit to pursue. The learned lord advocate of Scotland, to the surprise and dismay of his friends, had produced an oath taken at Glasgow by some deluded persons, with the existence of which oath it appeared that ministers had been some time acquainted. Were they not aware that the most severe punishment known to the law might be inflicted upon individuals subscribing that oath? Did they not know that it was felony without benefit of clergy, unless the person taking the oath, within 14 days afterwards abandoned his associates, and betrayed their purposes? As to the question, whether this suspension were adapted to the existing evils, the only individual who had contended that it was so, was the hon. member who spoke last: he contended that, as sufficient evidence could not be procured to convict, it was therefore proper to give ministers unlimited power to imprison. As the delinquent could not be brought to trial, he was to be punished without it. On the contrary, he (sir S. R.) contended, that this measure was in no

way calculated to meet the evil. Government could fix upon no individual of leading influence or talent, whose arrest would check the progress of disaffection, and defeat the operations of the minor agents: all were alike insignificant, and the extent to which the infection had spread, and was spreading, was the real evil. Would the imprisonment of two or three poor wretches prevent the diffusion of the poison through all the intricate ramifications, by which it was conveyed to the public mind? If indeed they were publicly tried, regularly convicted, and exemplarily punished, something would be gained—others would be deterred, for the fact would be known; but the mere unheard-of confinement of two or three mechanics would effect nothing in stopping the active mischief of particular individuals. In 1794 the state of things was widely different in another respect; then no petitions were presented humbly praying that parliament would reform itself; but a convention existed to serve as a substitute for parliament. In 1799 it was again suspended, but the country was then threatened with invasion; the disaffected then refused to acknowledge any parliament at all, and in its place substituted the National Assembly of France, which boasted of its secret and active correspondence with this country. The object then was not to reform, but to supersede parliament. Much as he censured the adoption of this measure now, he was not one of those who thought that the Habeas Corpus act ought never to be suspended; under some circumstances, the suspension might be most wise and necessary, and those circumstances had existed when, on former occasions, persons of great consequence and influence were in league with an enemy, and when their arrest paralyzed the traitorous designs of all their dependants. But was such the case at present? Where could ministers find one man of influence or consequence among the disaffected of our day? Where could they find even a man of the middle rank of life, among the vulgar, ignorant, and deluded wretches against whom ministers were about to launch their vengeance? How then could this suspension be useful, unless indeed this government followed the example of a state it had recently supported, against the avowed wish of the people, in which not merely obnoxious individuals, but the inhabitants of whole villages and towns, had been thrown into dungeons.

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Was not this, he confidently demanded, a most powerful reason for refusing what was now required? Would the House intrust ministers with a power by which persons of low rank and obscure occupations, in shoals, would be placed at the mercy of every truckling informer? The noble lord had adverted on a former night to the names of individuals in higher stations, who had been placed by these infatuated reformers upon what they termed the committee of safety or conservative body; but because misguided and illiterate men had had the audacity, without the slightest authority, to place upon this list persons of the most undoubted loyalty and of elevated rank, did it afford such a presumption of guilt as to justify the bold declaration of the noble lord, that in the eyes of God and man they were answerable for all the consequences of rebellion? Undoubtedly, the names of those most respectable persons were found there, on account of the sentiments they were known to entertain; and the noble lord, and a right hon. gentleman after him, had explained the declaration as a caution to certain individuals against supporting popular doctrines; which was as much as to say, that no man was to argue in favour of parliamentary reform, the liberty of the press, or any other topic displeasing to the other side of the House, unless he wished to fall under the dreadful denunciation of the noble lord. He [sir S. R.] was not fond of making personal allusions, and he was the more unwilling now, because the noble lord had this night shown a remarkable soreness upon some points; but he could not help just observing, that there was a period, even of the noble lord's life, when he might have had the misfortune to fall under his own denunciations, and to have been included in a list of a committee of safety. The liberality of the noble lord's opinions at one time, and the pledges of championship in the cause of parliamentary reform, given by him at an early period of his political life, before he had entered into office, or had been planted in any of the hot-beds or nurseries for young statesmen, might have rendered even him responsible in the eyes of God and man for the consequences of disaffection and rebellion. But the noble lord had got a seat in the cabinet; which put him out of the way of such perils. Reverting more immediately to the question he called upon the House not to withdraw a protection from the lower classes, to

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which they were as much entitled as the most exalted individual he was then addressing. It was impossible to calculate upon the abuses to which the measure might be subject; and at its expiration the minister would only have to come down to the House with a bill of indemnity, and his responsibility would be at an end. Our ancestors had never consented to the suspension of the Habeas Corpus act but in cases of extreme danger; and the proposal was now the more alarming on account of the precedent it would establish. It was now for the first time laid down, that under any circumstances of alarm the rights of Englishmen were to be dispensed with. Yet, in the years 1767 and 1768, when, according to the letters of Dr. Franklin, great distress, unusual scarcity, and alarming riots prevailed, no person had ever dreamt of suspending the Habeas Corpus act. Now, however, in time of profound peace, it was contended, that the race of Englishmen was so degenerate that they were incapable of their own protection; and in consequence of their weakness and pusillanimity were willing to make a voluntary sacrifice of their dearest rights into the hands of his majesty's ministers. True it was, that dangers threatened the country: but he would ask, was there no danger in empowering a few individuals to imprison all the rest of the subjects of the Crown, and that too without the slightest responsibility? Was there no danger in this suspension, when the standing army was so overgrown, and when already government possessed more influence than it had ever before enjoyed? Was there no danger even to general liberty, when foreign states, already sufficiently disposed to check its growth, should see this once free country placed under the absolute dominion of its ministers on account of the absurd schemes of a few miserable Spenceans? Was there no danger in public opinion, and that even to ministers themselves? Were they well assured that this measure would have, in truth, the effect of strengthening their weak hands? Would not the people see through the artifice of those who, under pretence of public security, were only endeavouring to secure themselves? In every point of view, he thought the suspension objectionable: the dangers might be great, but the existing laws had not yet been tried; and if tried he was convinced that they would be found sufficient for every purpose of national protection.

The *Solicitor General* considered that the evil now proposed must be resorted to, in order to prevent a greater evil. He agreed that it was necessary, before a law was passed on this subject, to see what the existing laws were; for if the present laws were perfectly sufficient to prevent the evil, it was improper to have recourse to new measures. He denied, however, that the laws were sufficient to protect the country against the dangers which now threatened it. The House did not before suspend the Habeas Corpus act, because there were not laws in existence: he took upon him to say, that that act had been suspended from time to time, though every law stood upon the statute book as it now did. With respect to the observation, that the law officers had not commenced prosecutions; if the existing laws were not sufficient, the neglect of the law officers was no reason why new measures should not be resorted to. As for himself, neither in that House, nor out of that House, should he be deterred from doing his duty from the fear of any reproach or censure that might be cast upon him. The law officers, he maintained, were not justified in commencing prosecutions till they found sufficient evidence to ensure their success. One of the evils of a free constitution was this—that we had no means of preventing crimes, but only of punishing them when they were committed. Prosecutions however had now been instituted; and many persons would have been prosecuted before, if the necessary evidence could have been furnished to the Crown. As far as his judgment went, no prosecution could be maintained against the societies, from the manner in which they were constituted. His hon. friend had said, that none of the higher classes were implicated in these crimes; but he begged leave to state, that the conspiracies, such as these, were not the less dangerous because they were conducted by the lower orders only. A multitude of the lower classes congregated together, was often more dangerous and ferocious than if it were under the control and direction of some of the higher orders. But low, and weak, and ignorant, as these conspirators might be thought to be, he could assure the House that there were, however, such marks of continuity, of skill, contrivance, and ingenuity in their designs, as would do honour to wiser heads, if they were employed in a better cause. If there was no master workman behind to move these

puppets, they were nevertheless as dangerous as if they were persons of greater rank and of more enlightened understandings. With respect to riotous proceedings in former times, it should be recollected, that, in 1780, it was the mere ebullition of a mob on a particular subject: there were then no oaths, no tests, no declarations, no subscriptions, no meetings, no delegates, which marked an organized system for the purpose of destroying the principles of the constitution, and of depriving every man of his property, and endangering his life. Besides the public had not then witnessed those disgusting and horrible scenes which had taken place in France, and which, by-the-by, had their origin in the formation and organization of such clubs and societies as were now existing in this country. An hon. member had said, there was nothing in the report to show that any danger threatened the country: but he had forgotten this—that it was stated in the report, that it was one of the contrivances of those persons to try their forces, and then see whether they could carry their schemes into execution. It had been urged that the number who appeared in Spa-fields on the 2nd of December was very small; this he would readily admit, but it should be remembered the few who appeared that day were part of a gang, whose object was to try and persuade as many as they possibly could to arm, and to associate all who unhappily permitted themselves to be deluded enough to do so. That this was not an imaginary view of the intentions of those people, but that such really was the case, might be seen by the numbers who in various parts of the country anxiously expected the arrival of news from London, that they might thereby regulate their proceedings. Nor was the absurdity of the Spencean system any argument against measures being taken to prevent its propagation. It was an undoubted fact, and no man conversant with the history of the human mind would dispute it, that the more absurd and wild theories were, they were the more dangerous, especially when in the hands of desperate and infuriated individuals. Indeed this was consonant to what experience had always shown to be the case. In looking to the commencement of the French revolution, were there ever, he would ask, more visionary, more absurd, and more apparently impracticable schemes than were there attempted? Yet these schemes

succeeded, and were attended by consequences, the mere recital of which must appal the stoutest heart. These schemes had been carried on by a rabble, by a mob of the lowest orders, whose excesses in the metropolis of that ill-fated country were too fresh in the recollection of all to require being mentioned. Now when such, by painful experience had been demonstrated to be fact, he, for one, must say, he was bound to express his fears, lest by apathy or indifference to the present portentous appearances in this country, we should bring down on our heads the same evils. Decidedly convinced that at this time there existed a conspiracy to overturn the constitution, and a society to divide the land, he begged to express his firm opinion that a temporary suspension of the Habeas Corpus was necessary to guard the country against the impending danger, and to preserve that constitution which those wild, and mischievous and traitorous persons were endeavouring to destroy.

Lord John Russell rose and said:—

I had not intended to trouble the House with any observations of mine during the present sessions of parliament. Indeed, the state of my health induced me to resolve upon quitting the fatiguing business of this House altogether: but he must have no ordinary mind whose attention is not roused in a singular manner when it is proposed to suspend the rights and liberties of Englishmen, though even for a short period. I am determined for my own part, that no weakness of frame, no indisposition of body, shall prevent my protesting against the establishment of the most dangerous precedent which this House ever made.

Sir, I am the more convinced of the danger in which the constitution stands from the manner in which the question has been treated by an hon. friend below me. From a person of his intelligence, candour, and information, I expected an excellent judgment on this subject. But to what do his arguments amount? I will venture to say they are so weak and superficial that I would not upon the strength of them vote for a turnpike bill. He tells us, that reform wears a most dangerous aspect because it is moderate—because it proposes to go step by step? Let my hon. friend consider to what this argument leads: it leads to the rejection of every species of reform, because it is innovation. In this

point of view, there was danger in the proposition made last night to reduce two of the lords of the admiralty, and my right hon. friend who proposes to abolish the office of third secretary of state is a monster of terror and alarm. Another argument of my hon. friend was, that the danger must be great because the distress was great, and that the discontent was to be measured by the distress. And upon this sort of argument *à priori* does he propose to take away the liberties of the people of England! Without waiting to ask whether they have been loyal, whether they have been patient under suffering, and enduring in the depth of misery, he turns to them and says, "Because you are starving, you shall be deprived of the protection of the law, your only remaining comfort." Yet upon such arguments as these, for he had little other, did my hon. friend rest his support of this bill. He told us he would not enter into the historical question, and that he knew not if the existing laws were sufficient to remedy the evil. On these two points, however, I think it necessary to dwell a short time before I give my vote. Upon looking back to history, the first precedent which strikes us, is the precedent of the enactment of this law. The year before this law passed a plot was discovered, which, though it has since been mentioned only as an instance of credulity, bore at the time a most alarming appearance. Not less than two hundred persons, many of them of the first rank, were accused of conspiring the death of the king. The heir presumptive of the throne was supposed to be implicated in the conspiracy, and foreign powers were ready with money and troops to assist in the subversion of our constitution in church and state. Yet at this time did the lords and commons present for the royal assent, this very bill of Habeas Corpus, which for less dangers you are now about to suspend. We talk much, I think a great deal too much, of the wisdom of our ancestors. I wish we would imitate the courage of our ancestors—They were not ready to lay their liberties at the foot of the Crown upon every vain or imaginary alarm.

The able manner in which the history of the various suspensions of the Habeas Corpus which have taken place has been commented upon by my noble friend behind me, renders it unnecessary for me to enter upon that part of the subject:—one principle seems to have guided our legislators on all these occasions. It was this,—

that when persons within the country were plotting with an enemy from without, the success of their machinations could only be prevented by detaining their persons till the danger of invasion was past. Thus, when just before the first suspension of this act, king William informed his parliament that James had sailed with a French fleet for Ireland, the effect of leaving his adherents at large till legal proofs of their guilt could be procured, would have been that they might have joined James, or made an insurrection in his behalf. On the various occasions, too, when the Habeas Corpus act was suspended during the late war, the system of anarchy prevailing in France was always specified in the preamble of the bill; and in the preamble of the Sedition bill in 1799 it is expressly stated, that a conspiracy has been carrying on in conjunction with the persons from time to time exercising the powers of government in France. Indeed, it is manifest that some fear of foreign aid, some dread of an invasion from abroad, or a competitor for the throne supported by rebellion, is an essential circumstance to render this measure necessary. For else why have a Habeas Corpus act at all? The very purpose of the law is, to protect the subject in all common cases of treason and sedition, and if it is to be a mere matter of holiday parade; if it is to be used only when the sky is bright; if every rumour of conspiracy and alarm of disaffection is to be sufficient ground for its suspension, then the Englishman who tells foreigners that his constitution and his laws are better than those of his neighbours is a lying boaster.

Now a few words as to the present danger and the sufficiency of the existing laws to meet it. The report of the committee refers to two objects—to the plot which broke out in Spa-fields, and to the system of clubs and combinations now carrying on. As to the first, though the story is told in very pompous language in the report, we know the fact to be that a few miserable malcontents attempted a riot—that one man summoned the Tower and that another party which went to the Royal Exchange was defeated by the lord mayor and sir James Shaw. So that whatever the danger may have been previously, it is now past. The insurrection was tried and failed. Now, Sir, what better proof can there be of the excellence of the present laws? An attempt was made to overturn them; the people refused to join in it, and it was immediately quelled. What better evidence

could we desire of the sufficiency of the constitution to repel the dangers which menace it? I was therefore surprised to hear the noble lord say, that a reason for the present measure was, that a plot had exploded. This would be an excellent argument to a jury before whom one of the conspirators was tried, but it surely cannot be a good reason to the legislature for altering the present law. If a man's house has been saved from lightning by a conductor, he does not immediately take it down to put up something else. If a traveller is attacked by a robber whose pistol misses him, and whose person falls into his power, he does not consider himself in the same danger he would be in with the pistol still aimed at his head.

As to the clubs and combinations which are said to exist, I should admit they were dangerous but that they cannot proceed a step without committing an unlawful act. All societies which administer unlawful oaths are illegal by the 39th of the king. The blasphemy and sedition said to be openly avowed, are punishable by common law. The attorney-general has been asked very naturally what has been done to repress these offences, and he has told us, that it is only lately discontent has assumed this shape, and that prosecutions are now instituted. Why then, Sir, should we adopt the stronger remedy till we see the effect of the milder? The House should pause in its judgment. It is the tendency of those invested with authority to suppose that every disturbance in the system is owing to want of power, and not to the defect of wisdom. They readily suppose the fault to be in the law rather than in their own minds. Hence there no sooner appears the least commotion in the state than they bring forth the whole artillery of penal statutes which is set apart for solemn and extraordinary emergencies.

"Could great men thunder,
As Jove himself does, Jove would ne'er be quiet;

For every pelting petty officer,
Would use his heav'n for thunder; nothing
but thunder!"

I will only say one word more as to the cry for reform, of which so much use has been made. I would make another use of this cry. The House must soon discuss the whole question. It is not difficult to foresee, that the majority will decide in favour of leaving the constitution untouched. Anxious as I am for reform, I am still more anxious that the House

should preserve the respect of the people. If they refuse all innovation upon ancient laws and institutions, it is not to be denied they will stand upon strong ground. I beseech them then not to cut this ground from under their feet—not to let the reformers say, "When we ask for redress you refuse all innovation. When the Crown asks for protection, you sanction a new code; for us you are not willing to go an inch—for ministers you go a mile. When we ask for our rights, you will not touch the little finger of the constitution; but when those in authority demand more power, you plunge your knife into the heart!"

Mr. *Courtenay* contended, that there was sufficient evidence of danger to justify the measure. The report of the committee showed the existence of extensive associations for the purpose of undermining the principles on which the fabric of society was founded; and it was the duty of the legislature to provide the means of preventing the evils that were to be apprehended, rather than to leave them to be put down by force.

Sir *F. Burdett* complimented the noble lord who preceded the last speaker. The name of Russell was dear to every Englishman; and it was peculiarly gratifying to hear the noble lord, with so much manliness and ability, supporting those rights in the defence of which his reverend ancestor lost his life. He was anxious to make a few observations on what had fallen from an hon. and learned gentleman on the other side, in one part only of whose speech he could agree, namely, that in which the hon. and learned gentleman asserted that the proposed measure was not brought forward for the purpose of strengthening the Crown. Neither, he was persuaded would it be beneficial to the people. In his opinion it was calculated solely for the benefit of the ministers, who having brought the country into inextricable difficulties, found a general demand for retrenchment of their profligate expenditure. The extravagance of which ministers had been guilty, was ten-fold more destructive of the landed property of the kingdom, than the newly-raised and visionary mischief apprehended from the disciples of a weak man who died twenty years ago, who never dreamed that, he should make such a noise in the world, and from whose absurd tracts no real danger could ever be anticipated. The Expencean party, as he would deno-

minate them, came to the same point as the Spenceans whom they denounced. The Spencean system had already entailed on us a debt, the interest of which amounted to the whole rental of the country; and yet, instead of attempting to conciliate, instead of endeavouring to diminish those grievances, the existence of which they themselves unblushingly confessed—when it was proposed to retrench a useless lord of the admiralty, they made what they called a stand against the proposition, and preferred resorting to such measures as that to which the House was then unfortunately called to give its attention. The hon. and learned gentleman had contended, that it was necessary to arm ministers with this despotic, detestable and mischievous power, because, he said, there were criminal persons in the country, the guilt of whom government had not the means of proving. According to him men were to be punished, not because they were guilty, but because there were no means of proving them guilty. Was there ever doctrine more odious and more abominable, held in any assembly or under any tyrant on earth?—The hon. and learned gentleman also in common with all who recommended this encroachment on liberty, referred the House to the scenes of the French revolution. With those this country had nothing to do. It was the principles of the English constitution which were at stake. Attempts were made, in the report of the secret committee, to connect the Spenceans with the friends of parliamentary reform.—This was, on the face of it, most absurd; for it was distinctly stated, that the Spenceans considered, if the reformers should succeed in their wishes, that the country would merely get rid of one set of rogues to make room for another. The impiety of the French revolution had likewise been much dwelt on. For his part, he knew nothing that could equal it, but the impiety which had lately been practised in this country, in the prayer which in solemn mockery, implored of heaven to guard the Prince Regent from the pestilence that walked by day. He (sir F. B.) knew of no pestilence except that pestilence which met the people at every corner, which visited their fire sides, which partook of their meals, which accompanied them to their beds, which contaminated every thing they touched—the pestilence of insupportable taxation. And then it seemed the people were afflicted

with “madness,” and whence did that madness proceed? From suffering. Did that suffering demand nothing but measures of coercion, to prevent complaint, but not to afford relief? That such would be the case was evident, if they believed the high law authority by which they had been told, that a reason for passing this measure was, that there could be found no offences capable of being punished; and this was asked, though the powers of ministers were already enormous. Could the attorney-general want to add any thing to the monstrous power he possessed over the press, in filing ex-officio informations for libel, and in having the selection of the jury which was to try the defendant. The example of that power had even been cited in foreign countries as a reason against establishing the liberty of the press. It was argued, that the freedom of printing in England could not exist, unless extraordinary powers like those possessed by the attorney-general were given; and that the dreadful sentences, which were the consequence of a conviction for libel in England, proved, that the want of the liberty of the press was not to be regretted. The hon. and learned gentleman thought the riots of 1780, when London was set on fire, and the streets ran with blood, nothing compared to the present danger. This present danger was constantly in the mouths of the hon. and learned gentlemen on the other side; but they would never condescend to tell the House in what it consisted. There were societies and clubs in different parts of the country. He knew there were, and he hoped there always would be. It was from these societies the petitions before the House for reform had come, and it was this petitioning that constituted the offence which the noble lord and the hon. and learned gentleman wished to punish; but having no law for that purpose, they now asked the House to allow them to punish it without law. This was the whole secret of the miserable plot, and the report before the House. The alarm was raised for the purpose of diverting the House from the due consideration of the claims of the people; and if ministers succeeded in effecting this diversion, they would gain their object. Soon after his return to this country, the noble lord had described the vessel of the state to be sailing gallantly, with her colours flying, and no timber injured. She was now, however, a

mere hull, her rigging destroyed, and her whole condition so crazy, that "the rats instinctively were quitting her;" but yet the noble lord trusted to her righting, and hoped that at least, patched up by this measure, she would carry him through his ministerial voyage for another twelve month. If, however, the noble lord thought he could deter the people from petitioning for reform, by any such proceeding, he was quite mistaken. The noble lord might fine and imprison—he might erect a gallows in Palace-yard, or in the lobby of the House of Commons, but he could not physically gag the mouths of the people. If it was true, that the great mass of the population of the empire was infected with the principles reprobated by the noble lord, could he shut it up? Had he prisons sufficiently capacious? Buonaparté erected eight additional bastiles in France; but the noble lord must do much more, for our gaols were already overflowing. Though the report stated that there were few, if any, persons of consequence liable to the charge of treasonable practices, it seemed to regard the whole population of the country as fit to be placed under restraint. When he saw the description of persons who had been apprehended, such as Dr. Watson, Mr. Preston, &c. he was certain that ministers could not feel any apprehension from the machinations of such men, who, to use the noble lord's expression "degraded the dignity of treason." The report, however, stated the great dangers to be dreaded from them. Among other extraordinary and impossible things, these persons were to destroy the bridges. He wondered that they were not accused of an intention of setting the Thames on fire. The hon. and learned gentleman had talked as if a sort of reproach had been made against the Crown lawyers, because they had instituted no prosecutions. It would have been a singular charge indeed to have accused any attorney-general, not excepting the present, of disinclination to prosecute; and it was a proof of so little modesty in the hon. and learned gentleman to take such a reproach to themselves. The remark that there had been no prosecutions, was not made with the view of wishing the hon. and learned gentlemen to resort to the exercise of their professional duties; it was made to show, that as they had not prosecuted, they had no proof of any offence. They alleged that the persons

who wrote the publications so much complained of were so cunning, that they could not be caught in a libel. What was this but saying that there was no libel to prosecute. A worthy alderman had been so alarmed by these threatened mischiefs, that, with great good humour he willingly gave up all his constituents to be imprisoned at the pleasure of the Crown. The terror of the worthy alderman must be as great as that of an alderman of former times, commemorated by Burnet, who was so frightened at the rumour of a popish plot, that he declared he should not be surprised if all the citizens of London should get up some morning with their throats cut. As to the argument that the measure would not be abused, because the power would be placed in the hands of a noble lord remarkable for the mildness of his disposition, it was most absurd. There was, in fact, little difference as to the hands in which arbitrary power was placed. Its tendency was to corrupt the good. There were many instances of the best-natured men becoming inexorable tyrants. He well recollected what had been done by former ministers who had been invested with the undue power proposed to be bestowed on the noble lord and his colleagues. Under their authority innocent men had been confined for years in dismal and unhealthy dungeons. A young man of the name of Lemaitre, a watchmaker, aged only 17, had been arrested when the Habeas Corpus act was suspended in 1795, and he was confined during seven years. When the time came for indemnification—if such a case, which cut off seven years of youthful life, and was a destruction of every prospect, was capable of indemnification—the noble viscount (Sidmouth), who would have the enforcement of this bill, procured a law to be passed to protect his predecessors against all actions that might be brought against them; thus shutting out the unhappy victim of their tyranny from all means of redress. The power which the noble lord sought, was not a power to apprehend guilty persons in order to try them, but a power to commit the innocent, without being obliged to bring them to trial at all. It was a melancholy consideration, that the frequent introduction of such laws familiarized the minds of men so much to the exercise of tyranny, that their abhorrence of it diminished daily. He well recollected, that the first suspension of the Habeas Corpus act, was very strongly opposed in that House. The second time

the resistance to the measure was much less; and at last the suspension of the law which protected the personal liberty of Englishmen came to be considered as one of the common orders of the day. To no minister would he confide such a power. By no minister could it be advantageously exercised, even with a view to the attainment of those objects which it professed to be intended to attain. If property was really threatened, let property be armed in its own defence. That would be the way to keep the peace; and on this subject he would advise ministers to read a short but excellent pamphlet, which, though written a long while ago, was very applicable to modern times—he meant sir W. Jones's tract on the legal mode of suppressing riots. Even if there had once been any danger, that danger had passed away. The noble lord himself confessed that it had “exploded:” so that he was more alarmed than the man described in the *Spectator*, who arrived at the headquarters of an army the day after a battle. The very hand-bill quoted in the report was issued above four months ago! He could not help thinking that that hand-bill proceeded from the same Police-shop whence emanated that other production, commencing with “Spa-fields Row,” and ending with “Go it, my Boys!” the tendency of which was to induce men to commit criminal acts, with a view probably that they might be subsequently punished. As to the hand-bill quoted in the report—“No Regent, No Castlereagh—Off with their heads! So much for Buckingham [A laugh]!” Although it might be very well for a minister to persuade the Prince Regent that his own fall involved that of his royal master, yet no other man could be so absurd as thus to associate the two persons, and to suppose that they could be liable to the same fate; and he therefore strongly suspected that this document was of ministerial, or at least of magisterial invention. He could see no plot, but the plot of ministers to raise a false alarm, to calumniate the character of innocent individuals, and to deter the country from pursuing the course necessary to its salvation. This was the only conspiracy that he could discover. The report of the committee was so general in its allegations, that it was impossible to answer them. What was meant by “affiliated” Societies a term derived from the phraseology of the French Revolution, for the sole purpose of exciting alarm? He had himself for a long

time been chairman of the Hampden Club. Was that a breach of the intended law? If so, and if the operation of the law was to be made *ex post facto*, he might perhaps come under the operation of the law himself. A right hon. gentleman had said yesterday evening that he spoke under the control of public opinion. He (sir F. B.) in the case which he supposed, should speak under the control of the suspension of the Habeas Corpus. The probability, however, was that that would not influence him any more than public opinion seemed at any time to have influenced the right hon. gentleman to whom he had alluded. If the bill should be read a second time, he would endeavour in the committee to provide, that whoever might be the victim of government in consequence of the measure, should merely suffer the detention of his person, and should be spared the infliction of torture in the mode of that detention. He referred to secret and solitary confinement. Was not solitary imprisonment in damp and dismal dungeons torture? If any hon. gentleman thought that was not torture, the most malignant wish that he entertained towards him was, that he might experience it for a single week. In answer to the argument which might be urged, that the bill was but for a few months, he would say, that were it but for twenty-four hours, he would still endeavour to introduce into it a provision to protect any individual who might be rendered liable to its operation from the hardships which he had mentioned.

Lord Castlereagh said, that the question before the House, practically speaking, lay within very narrow limits. He should therefore take very little notice of the speech of the hon. baronet who spoke last, further than to say that with all the respect which he felt for the rank and talents of that hon. baronet—talents which had not been impaired even by the society which he had during the latter years frequented, that he must be excused for saying, that it would seem from his speech that the salvation which the hon. baronet wished for the constitution would prove its destruction, and that what the hon. baronet had that night said within the walls of the House must be considered not so much addressed to parliament as to certain persons in another place—[Loud cries of Order, order!]

Lord Stanley was sorry to interrupt the noble lord, but as long as he had a seat in that House, he would never refrain from

calling to order any one who attributed to an hon. member an intention of addressing a speech made within those walls, to any other body of persons than to the House of Commons. Whatever opinion the noble lord might entertain of the arguments of the hon. baronet, there was certainly nothing in them which appeared to indicate a covert design of inflaming the passions of people out of doors.

Lord Castlereagh denied having imputed to the hon. baronet the design of inflaming the passions of the people. What he had said was, that on this, as well as on former occasions, the speech of the hon. baronet was not intended to convince the minds of that House, but to produce an effect elsewhere.—[Cries of Order, order! Chair, chair!]

The Speaker: I certainly apprehend it to be the rule to consider all speeches delivered in this House as addressed to the House only.

Lord Castlereagh said, that the decision of the Chair should always regulate his conduct. He could only say that the general feeling in the House seemed to be, that the hon. baronet's speech was such as he had described it. The substance of that speech, the attempt in it to treat with ridicule the present alarming state of the country, was only consistent with the hon. baronet, who had many years ago, during the late war, endeavoured to ridicule those treasons, which if they had been treated as lightly by parliament as they had been by the hon. baronet, the constitution would long ago have been overturned, and that House would now have lain prostrate, the victim of treason and rebellion, under the mask of reform. He begged pardon for having detained the House on a subject foreign to the question before it. But, really, it was matter for serious consideration to find the dangers which now threatened the country talked lightly of—to hear even ridicule endeavoured to be thrown on the attempts against the person of his royal highness the Prince Regent—attempts of a nature so criminal, so abhorrent to human nature, as scarcely to be credited as having been made in any civilized country—to hear those plots attempted to be made the subject of laughter which threatened the subversion of the constitution, and which had threatened the lives and properties of the people of England. And this was done too, when the truth of all that was contained in the Report—when the existence and the

alarming nature of these conspiracies was admitted by almost every member of that House; and when the committee before whom the evidence had been laid—a committee composed of members from both sides of the House—had unanimously agreed that the danger was so great, that the existing laws were insufficient for the safety of the constitution. If the House agreed to the other three bills, and rejected the one now before them, they would withhold the particular arm which it was eminently important should be entrusted at the present critical moment to the executive government. He disclaimed, in the largest sense, any intention of making use of the bill for purposes of punishment. Such a notion could never enter into the imagination of the most infatuated minister. He wished to know whether a conspiracy existed in this country or not? The hon. baronet was consistent, but he really did not see on what principle the right hon. gentleman below him (Mr. Ponsonby) could oppose the measure now before the House. He did not wish to argue the question with the hon. baronet, but with those who believed in the existence of danger to the government of the country, and who thought that remedies ought to be applied to meet that danger. He himself believed that a conspiracy existed in the country for the subversion of the constitution. He was convinced that that conspiracy was great in point of numbers, that the members were bound together by oaths involving the horrid principle of inflicting death on those who revealed them. He believed too, that if the societies engaged in this conspiracy were not soon put down, they would be capable of struggling by force against the laws and government of the country. He believed that the conspirators thought they were strong enough on the 2nd of December to accomplish their purpose—he believed they afterwards adjourned the execution of their intention to the 10th of February. He would put it to the House, whether on the eve of an insurrection, embracing many parts of the country and the metropolis, they wished the executive to sit with their arms folded and make no effort to arrest it till it exploded against the state? Did they wish ministers to suffer it first to explode, and blood to flow in the country? Was it not humanity to snatch the leader from the head of his troops before he could lead them against his majesty's peaceful subjects? He

thought the safety of the country imperiously demanded the measure: he disclaimed it as a punishment; and if the executive were not armed with this power, he was convinced they would not have the means of protecting the country against a bloody and most disastrous catastrophe [Cries of Hear, hear!].

Mr. *Ponsonby* began by stating the hardships under which he laboured, in being obliged, not only to combat the gentlemen opposite, but also the charge of imbecility brought against him by his hon. friends around and behind him. He could assure those who thought him weak, that all his faculties, such as they were, were as perfectly enjoyed by him when he sat in the secret committee, as ever they had been in the whole course of his life. He consented to go into that committee, because he considered it a public duty, standing, as he did, at the head of a respectable body of gentlemen in that House as the person in whom they could confide. If he had refused the offer of going into the committee to see the evidence on which such reports of danger to the state and government of the country were founded, he should have considered himself culpable. When he had first heard intentions attributed to the persons alluded to in the report, he was of the same opinion with that which some others now entertained, but he was afterwards fully convinced that absurd and nonsensical as the thing might appear, it was actually true. It was very unlikely that he should agree with the hon. baronet on the subject of parliamentary reform, but he had never heard any speech of that hon. baronet less liable to the imputation of the noble lord, than his speech of to-night. It was one of great ability—it contained nothing objectionable—nothing unparliamentary—and if the noble lord had acted wisely, he would neither have coped with that speech, nor quarrelled with him who made it. He believed the powers vested in the government of the country at present sufficient to keep the peace of the country without this measure; and one main ground for that belief was the fact communicated by the lord advocate, of the having seized on the central committee of Union at Glasgow. Having, therefore, got possession of the whole extent of the insurrection, in so far as Glasgow was concerned, it must be owing to their own imbecility if they did not at once completely crush it. He hoped the law would be allowed to take

its course. The surest way to put a stop to the mischief was, to let the law take its course, and to let punishment fall on crime. He put it to ministers, if they could for a moment conceive that this conspiracy originated in the native and home-bred desperation of the great body of the common people concerned in it, or whether they did not think it originated in extreme distress acted upon by malignity? If every time, when distress gave rise to disturbances the consequence was to be the suspension of the Habeas Corpus act, it would become a part of the ordinary legislature of the country. He had a reverence for that law amounting almost to superstition—he believed it the great bulwark of British liberty—that which brought home to the poorest man in the country the value of the British constitution. On all former occasions when the suspension, or in other words, the power of arbitrary arrest and detention was given, there was either foreign war, a disputed succession, or a rebellion existing in the country. The present was merely a conspiracy of famine acted on by malignity. The circumstance of its being confined to the lower orders was the greatest argument against the measure, for they might remain month after month and year after year in dungeons without the House knowing any thing of it. He knew too well, that in former instances of suspension, men as innocent as any in that House had been long kept in gaols. He wished the people to understand, that there was no set of men in public life in this country who countenanced them in any criminal designs against the state. He wished that he could make his voice reach to those deluded men. He would tell them, if they wished for liberty the measures they were pursuing tended to destroy that liberty—that it was by similar means public liberty had always been destroyed in other countries. The object of every individual in a state was the security of his person and property, and his domestic happiness; and the object of every government was the promotion of these objects. All governments were a trust for the benefit of the people; and the only way to make liberty odious to the great body of any people, was the commission of those excesses which destroyed the security of property and every thing that man most desired. If the nonsensical plan of equality and partition were to be successful, those who promoted them would themselves be the greatest

sufferers. But while he wished to put a stop to the spreading of this delusion among the people, he never would consent to deliver up that people at the mercy of any government—at the mercy of persons who never would appear in open court against them, and on whose evidence they might be incarcerated in gaols as long as the government pleased.

Lord Lascelles agreed with the right hon. gentleman that the present discontents arose out of the distress of the country; and when he mentioned reformers as taking advantage of that distress, he did not class them all under the same head; there were among them some high and respectable individuals: whether their measures were prudent, he would not now discuss, but he believed their intentions correct. There was, however, another class of reformers not so well disposed: these men did not find an opportunity for pressing the subject at all times; when things went well, we heard nothing of them, but when distress had already excited discontent, they were ever most clamorous. Some of the latter description had certainly taken advantage of the present calamities; they assembled parties under the pressure of want, and told them, if they signed petitions for reform, their wants would be relieved; having signed, they might be considered as enlisted under the banners of those reformers; and many of them, after a first enlistment, were led on by degrees to go farther. But he believed the people themselves, who suffered, were sound; and, if they knew whither their leaders were going, would probably stop short. Most sincerely he wished the legislature could relieve their distresses. It was true, great future advantages would be derived from the pursuit of economy; but as to any effectual immediate relief, it was out of the compass of human power to afford it. We must, therefore, look on to further distress, and the continuance of it; the minds of the people would be worked up by those who had designs of their own to involve all in deeper ruin. The object of the bill, therefore, which had his support was not injuriously to affect the lower orders, but to preserve them from being led astray by those delusions that were set as a snare to entrap them into their own destruction.

Lord Stanley opposed the bill. Ministers, he said, had known of the mischiefs long enough before. They knew of the proceedings in October, November,

and December. He would readily agree to the bill for protecting the Prince Regent, and for preventing the seduction of soldiers and sailors. The sedition bill opened too large a field for him then to enter upon. To the suspension of the Habeas Corpus act he would not give his assent.

Lord Cochrane rose, amidst reiterated cries of question, to state, that he had quite made up his mind as to the course ministers were running, which would bring the country to ruin. He would give his humble opinion, that it was the duty of that House and of the country to petition for the removal of the present ministers. The question lay between military despotism and the dangers and distresses of the country. With respect to his opinions, he would own, that he had experienced a sort of malicious satisfaction at seeing, for ten years past, that the hopes of the opposition were disappointed by their being kept out of power. He was now, however, decidedly of opinion, that their restoration to place and power was the only means of giving us a chance of escaping degradation and ruin. As to that part of the evidence which had been brought forth that night, and at first, he supposed, intended to be secret, it did not appear how the document was come by. Was it from the arrested persons? The individual who produced it might himself in doing so have been guilty of perjury, and might therefore deserve no credit. Such an individual was capable of any thing. The report as it stood was worthless. There should be a change in men in order to effect a change of measures, if we wished to avoid despotism, degradation, and ruin.

The House divided:—

Yeas 273

Noes 98

Majority for the first reading

of the bill— 175

The bill was then read a first and second time, after which the House adjourned at half past two o'clock.

List of the Minority.

Anson, sir George	Brougham, Henry
Atherly, Arthur	Browne, Dom.
Aubrey, sir John	Burdett, sir F.
Bennet, hon. H. G.	Burrell, hon. P. D.
Baring, sir Thomas	Calley, Thomas
Baring, Alexander	Calcraft, John
Barnard, viscount	Calvert, N.
Birch, Jos.	Calvert, Charles
Brand, hon. Thos.	Carew, R. S.

Carter, John
 Cavendish, lord G.
 Chaloner, Robert
 Cochrane, lord
 Coke, Thomas
 Curwen, J. C.
 Duncannon, visc.
 Dundas, hon. L.
 Dundas, C.
 Ebrington, visc.
 Fazakerley, J. N.
 Fergusson, sir R. C.
 Fitzgerald, rt. hon. M.
 Fitzroy, lord John
 Folkestone, visc.
 Guise, sir W.
 Gaskell, Benj.
 Grosvenor, Thos.
 Hamilton, lord A.
 Hanbury, William
 Heathcote, sir G.
 Heron, sir Robt.
 Hughes, W. L.
 Hurst, Robert
 Jervoise, G. P.
 Lambton, J. G.
 Langton, W. G.
 Lemon, sir W.
 Lyttelton, hon. W.
 Marryat, Jos.
 Methuen, Paul
 Mackintosh, sir J.
 Madocks, W. A.
 Martin, Henry
 Martin, John
 Milton, visc.
 Molyneux, H. H.
 Monck, sir Chas.
 Moore, Peter
 Mosely, sir O.
 Newman, R. W.
 Neville, hon. R.
 North, Dudley
 Nugent, lord
 Ord, Wm.
 Ossulston, lord
 Peirse, Henry

Philips, George
 Piggott, sir A.
 Ponsonby, rt. hon. G.
 Power, Richard
 Prittie, hon. F. A.
 Portman, Edward
 Pym, Francis
 Ramsden, J. C.
 Ranccliffe, lord
 Ridley, sir M. W.
 Romilly, sir Sam.
 Rowley, sir W.
 Russell, lord W.
 Russell, lord G. W.
 Russell, R. G.
 Scudamore, Robt.
 Sharp, Richard
 Sefton, earl of
 Smith, John
 Smith, Wm.
 Smith, Robert
 Smyth, J. H.
 Stanley, visc.
 Spiers, Arch.
 Shaw, sir James
 Tavistock, marq.
 Taylor, M. A.
 Taylor, Charles
 Teed, John
 Tierney, rt. hon. G.
 Walpole, hon. G.
 Waldegrave, hon. W.
 Webb, Ed.

TELLERS.

Althorp, viscount
 Macdonald, James.

PAIRED OFF.

Foley, Thomas
 Gordon, Robert
 Lloyd, J. M.
 Pelham, hon. C. A.
 Ponsonby, hon. F. C.
 Powlett, hon. W. V.
 Russell, lord John
 Townshend, lord John
 Wharton, John.

HOUSE OF COMMONS.

Thursday, February 27.

POOR REMOVAL BILL.] *Sir Egerton Bridges* moved for leave to bring in a bill to alter the law of settlements, as far as regards the value of a tenement derived from the pasturage of cows; on which occasion he delivered himself in substance as follows:—He said he had attended very anxiously to the principles laid down on a former night by the member for Carlisle, on moving for a committee on the poor laws, and also to those so powerfully expatiated on by the noble lord in the blue ribbon; and if there had been any thing in those principles inconsistent with the

amendment he now proposed, he should have hesitated before he made the attempt. But his present object was in direct coincidence with those principles. The great point which now seemed generally agreed to be necessary was, a check upon the improvident resort to the funds of the poor-rates, and a revival of the spirit of industry and independence. The 43d of Elizabeth was good. The evils have arisen from the excrescences of the superstructure. The principle of keeping wages low, and making up the worth of labour by the poor-rates was pernicious. No man ought to be paid less than the worth of his labour by those who employ him: and if he his paid more, such a practice, if extended widely, takes away the necessary check to the excess of population above the means of support, which a country will in that case produce. It is wrong therefore to regulate the quantum of wages by the quantum of family of the person employed. So far as a pauper's inability to support himself arises from want of employment, his parish ought to find such employment, which ought to be of a beneficial and productive kind; and such, it is conceived; might in general be found without much difficulty. It seems clear that till the land has attained the utmost limits of cultivation, every able-bodied poor man may, with the use of the proportionate quantity, generate the means of his own support. The laws of nature have imposed that check on excess of population, which arises from the dread of inability of self-support. The poor laws, as lately administered, have endeavoured to act counter to these inscrutable laws. And its effects have been at last found to be such, as might have been predicted. Constituted as human nature is, it is vain to hope that a man will exert his full industry, when he is sure of his support, whether the work he does is much or little. If it be said that the taunts, the scoffs, and harshness, that on applying, a pauper too often receives from a parish officer, are sufficient to deter him from the application; or at least to instigate him to try previously every method to avoid the necessity, experience has proved, that from the existing state of things, during the last twenty years, such attempts have been so generally fruitless, that as necessity urged, so example has taken away all shame. But unfortunately the evil of the taunts, and the scoffs, and the harshness remains; while the use of them as a check to demand has utterly failed. They have broken the spirit of the poor man; and

destroyed his moral courage; and moral self-estimation; they have taken away that elasticity of heart by which industry is supported, and strength inspired and cherished. In a state of self-abasement he can be content to submit to servility and indignity for the sake of getting food and shelter for himself and his family without a stretch of bodily toil. Poor houses, in their present, extended use, are among the great evils of the modern system, because they take away the necessity of foresight, self-regulation and self-denial. Allow to a man a cottage, a garden, and (where it can be) enough to keep a cow; and, if he is industrious, he will be able to support his family, however numerous, while young—especially if work be found for him when he cannot find it for himself, if he be not industrious, let him suffer for it; it is the immutable law of nature. If his improvidence and idleness are so gross, as to bring his family to starvation, let him be punished in the house of correction. For sickness, accidents, orphanage, and extreme age, the parish funds must still provide. By the indolence super-induced from the security of sustenance, the pauper loses even the power of great bodily exertions: or, if not, spends the surplus with which the opportunity of extra-exertion occasionally supplies him in enervating drink and dissoluteness. It was with these impressions that he was now stimulated to endeavour to remove an existing obstacle to the poor man's enjoyment of the benefit of a cow. As long as the hire of the produce of a cow depastured on land, which in the construction of the law had been adjudged to be a tenement, gave the pauper a settlement where he resided, if of the value of 10*l.* so long would the farmer be debarred from accommodating his labourers with such a boon. Sir Egerton, therefore, proposed to raise the value of the tenement which should give a settlement to 20*l.* a year, in all cases in which the tenement consisted wholly or in part of the pasturage of cows. As far as it went, he trusted, that this encouragement would have a tendency to stimulate the labourer to look to his own resources, and not place a blind, servile, and habitual reliance on the poor-rates. In consideration of what had passed so lately on this subject, and that he might not seem so presumptuous as to wish to anticipate the views of the committee now sitting, he should forbear at present from entering more at large on this fertile and multifarious topic of legislation. He then

moved, "That leave be given to bring in a bill for altering the laws relating to the removal of the poor in certain cases."

Sir C. Burrell supported the motion, and thought the amendment would be very useful.

Mr. Lockhart wished to wait for the report of the committee, who had in view a total alteration and simplification of the law of settlements.

Sir C. Monck was of a similar opinion.

Sir Egerton Brydges replied, that the extensive alterations to which the committee looked must be a work of time. In the mean time why not remove a partial but pressing evil? He appealed to an hon. baronet, the chairman of the East Kent sessions, if a large number of the cases in the court where he presided did not turn upon cow tenements, and observed, that when a more extensive amelioration was found, if it could be found, this might be superseded as unnecessary; but let it operate as long as it was wanted.

Sir E. Knatchbull confirmed this statement: and expressed his approbation of the objects of the bill, adding, that if, on the bill being printed, there should be any thing in it to render it advisable to wait the report of the committee, it might then be suspended.

Leave was given to bring in the bill. It was afterwards brought in, and read a first time.

PETITION FROM THE BIRMINGHAM HAMPDEN CLUB, RESPECTING THE REPORT OF THE SECRET COMMITTEE.] Lord Cochrane presented a petition from George Edmonds, chairman of the Birmingham Hampden-club, denying that the assertions in the report of the Secret Committee, relative to the Hampden-club were true, and expressing his confidence that, if the House would be pleased to call him to their bar, and hear his evidence, he could convince them that those assertions rested on an *ex-parte* examination, and were not founded in fact. The noble lord observed, that it would have been highly proper had the House, before agreeing to the bill now in progress for the suspension of the Habeas Corpus act, entered into a full and fair investigation of the whole matter. If he might judge from the small portion of the evidence which ministers had communicated to the House, he had a right to infer that the great body of the evidence submitted to the secret committee had not been of a very authentic nature. He had

last night particularly called on the lord advocate of Scotland to state—not from what precise quarter he had received the oath which he read to the House—but whether it had been found on any of the individuals seized in Scotland, or had been obtained from any one by whom it had been taken? Probably owing to the lateness of the hour, the learned lord did not answer his question: It was certainly very desirable to know the true nature and value of that single scrap of evidence. If it had been acquired by a seizure of the papers and records of the persons who had been apprehended, it was a document which unequivocally proved that such a wicked oath had actually been administered; but if it had been obtained by other means, it bore, in his opinion, a very questionable character. He begged leave to say, that no man wished more than himself for the preservation of general tranquillity. But he maintained that the measures proposed by ministers were not calculated to preserve it. Without the disclosure of names, the House might assuredly have had on its table the greater part of the information on which the committee had founded its report. With respect to the pikes, for instance, why could not the circumstances of that transaction be detailed without stating the name of the informer? In the total ignorance of the House with regard to the proofs of the allegations of the secret committee, it was, in his opinion, most unwarrantable to condemn the whole people, without hearing them in their defence. It was due to the character of the House, and of the individuals who had been accused, to inquire into the matter and ascertain by an examination at the bar, whether those individuals could or could not refute the charges adduced against them. The present petitioner was the chairman of the Hampden-club at Birmingham. He (lord C.) could assure the House, that had he thought the Hampden-clubs in any way conducive to the attainment of parliamentary reform, he would have sedulously attended that in London. But so insignificant did he consider their efforts, that he had only attended at two meetings—one in an open room, to which every one had access, and another at which only three individuals had been present. The reason that more of the members had not attended on the latter occasion was declared to be the extravagant ideas that had been suggested by certain individuals with respect to universal suffrage and annual par-

liaments. In fact, the Hampden-club was made up of materials so discordant, that to suppose that any thing like a conspiracy could originate in it was most absurd. Not two of them agreed on the subject of parliamentary reform, or indeed on any other subject. Some were for one plan, some for another. But he solemnly declared before God, that he never heard any thing in the Hampden-club which tended to put the smallest part of the constitution, in the slightest danger. He was persuaded that his hon. colleague, who was chairman of that club, would vouch for the truth of this declaration. He believed that not a single paper had issued from the Hampden-club, which was not written by a venerable individual, whose character stood deservedly high with all who were in any way acquainted with him.

The petition was ordered to lie on the table.

WOOTTON BASSETT ELECTION—THOMAS JEFFERIES REPRIMANDED.] Thomas Jefferies was, according to order, brought to the bar, where he received a reprimand from Mr. Speaker, and was ordered to be discharged out of custody, paying his fees. The reprimand was as follows:

“Thomas Jefferies; A select committee of this House appointed to try and determine the merits of the last election for Wootton Bassett, have reported, that you being called as a witness before the committee were guilty of wilful prevarication; and for that offence you were committed by this House to the common gaol allotted for all such offenders.—In the committees established by law for these trials the most favourable attention and protection are bestowed upon all witnesses who come before them; and of that indulgence you, upon your examination, had abundant proof. Repeatedly admonished of the sacred obligation of your oath, and of the duty which you owed to God and your country, you persisted nevertheless in your criminal endeavours to defeat the justice of the cause then under trial. Such practices, however, were, and always will be, unavailing. The example of your punishment, which followed without delay, will operate, we trust, as a warning to all others who may be called upon to give testimony before these tribunals; and the notoriety of your case will, wherever you may have to present yourself during the remainder of your life, teach all men to know, that of such misconduct imprison-

ment and ignominy are the inevitable consequences.—At length, however, you have been brought to a just sense of your crime; and in consideration of the penitence expressed in your petition, this House has ordered, that you be now discharged, and you are discharged accordingly, paying your fees.”

PETITION OF THOMAS EVANS.] Mr. *Bennet* held in his hand a Petition, which, as the language of it was respectful to that House, he thought it was his duty to present, though, he begged to say, he had not known, till within these few days, that the individual from whom it came was in existence. It was from a person of the name of Evans, lately residing in Newcastle-street, but now a prisoner in the House of Correction, on a charge of high treason. It set forth, that in the year 1798 the petitioner was arrested under a warrant, signed by the late duke of Portland, committed to prison, and kept in confinement three years. While in such confinement he was denied all access to, or intercourse with his friends; and further, which was a severe punishment, as he understood the petitioner to be a literary man, he was not permitted to read or write. He saw no one, but was shut up in a solitary cell during the whole of that period. In consequence all his prospects were ruined, and he had, in a great measure, subsisted on the charity of the late sir R. Ford. On the 9th of the present month the petitioner had been arrested, with his son, on a charge of high treason. He denied being concerned in, or privy to any treasonable practices. He stated himself to be librarian to the Spencean Society, but he most solemnly denied that the society was connected with any body of men who entertained designs against the state, or that he or them had interfered on the subject of the public grievances and parliamentary reform. The prayer of the petitioner was, that the bill for the suspension of the Habeas Corpus act might not be passed into a law, as he feared, if this were done, he might again be placed under it, in the situation he had described, as he was when the Habeas Corpus act was formerly suspended.

The petition was read, and ordered to lie on the table.

PETITION FROM BATH RESPECTING THE SUSPENSION OF THE HABEAS CORPUS ACT.] Sir *F. Burdett*. in present-

ing a petition from Bath against the suspension of the Habeas Corpus act, expressed a hope that longer time would be given, that the sentiments of the country might be made known on this important subject. The petition in his hand had been prepared in great haste, from an apprehension, on the part of the petitioners, that if any delay occurred, it would not be presented in time. It was pretty numerously signed; but the gentleman from whom he had received it, had written, that it had been kept but a few hours at his house for signature; had more time been afforded, it would have been signed by 10,000 persons.

Mr. Serjeant *Onslow* said, the suspension of the Habeas Corpus act, was a measure which must command the attention of every man who had any regard for the British constitution. He had, he might say, a sort of superstitious reverence for that sacred act. This the bill he had recently brought in would he thought go to prove. He, however, could not say that the petition before the House had altered the opinion which he had previously formed. He thought there was an imperious necessity for passing the act.

Mr. *Brougham* was surprised at the course taken by the last speaker. He had referred the House for what he called his superstitious reverence for the Habeas Corpus act, to a bill which he had brought into that House, and which, after much opposition in another place, had passed into a law; but now having made the Habeas Corpus act more valuable to the nation than ever it was before, he showed his superstitious reverence for it by voting in favour of its suspension. Under these circumstances, he could only wish, that instead of a superstitious reverence, he had had merely a reasonable reverence for it, as in that case it was probable he would have voted against the bill now in the House.

The petition was ordered to lie on the table.

HABEAS CORPUS SUSPENSION BILL.] On the order of the day for going into a committee on this bill,

Mr. *Grenfell* said, that after the best consideration which he had been able to give to this subject, painful as it was to him to differ from those around him, with whom he had so long acted, he had brought his mind to the conviction, a conviction which, indeed, might perhaps be

erroneous, but which he trusted his friends would do him the justice to believe, was honest, that in giving his support to the present Bill, he was supporting that which was best calculated to defend the liberties of the country.

Mr. Curwen said, that notwithstanding the strong opinion declared by the House last night, it was impossible for him to forget what were the strong feelings of those who opposed a similar measure above 20 years ago. Most of the great characters of that day were now removed for ever from the stage. Every feeling of political hostility had long since subsided. However strong his own opposition to the measure then was, in every stage of it, he viewed it now in the same light he did any post historical event. But the impressions of the impolicy of that time remained in him unimpaired; and he felt it his duty, though his opposition was hopeless, to mark his opinion to the House and the country. There was a very great difference between the state of the country then and now, when parties ran so high, when we laboured, under peculiar difficulties, and when pernicious opinions were said to be spreading so widely. He had been closely engaged in all the oppositions to the measure at that time, and he saw no reason to regret it. The results of the policy then pursued, justified in his mind those who were in the opposition. Could it be forgotten by any body, that an attempt was made in those days, which, if successful, would have left us neither liberty nor security?—he meant the attempt at constructive treason. The virtue of the judge, and the manliness and integrity of the juries, would, he was satisfied, command the admiration and gratitude of posterity.—They completely negated the plot and exposed the political purposes for which it was hatched. All the circumstances justified the objections he had entertained to intrusting such a power as this into the hands of ministers. There were circumstances attending the present case of peculiar delicacy. A right hon. gentleman (Mr. Ponsonby), who had been on the committee, had delivered a speech last night which ought to endear him to the House and to the country by its sense and mildness. But though he had said, that had he been in the cabinet he should have recommended a communication to parliament, and some measure to be adopted; yet, in saying so, he by no means recommended

this particular measure of the suspension of the Habeas Corpus act. Never in any serious discussion in that House had he witnessed such a total deficiency of argument in the defence of any measure, as was evinced last night by the advocates of the suspension. He particularly alluded to the speech of the learned lord-advocate of Scotland, who, by his own statement, had clearly shown, that by means of the laws as they stood, he had been enabled to arrest a number of conspirators or ringleaders of the disaffected. And if there was danger the existing laws were sufficient to secure the public peace. If this proceeding was so easily effected, what could ministers want with this bill of suspension? This was conclusive, that it could not be wanted for any useful purpose, and that the existing laws rendered it needless. He thought that the law-officers of the Crown had shown no grounds to entitle government to the aid of additional laws, since in England they had not yet tried the efficiency of those which exist. He, for one, would not agree to the suspension. He pointedly referred to the year 1794, and the proceedings then adopted; the effects of which were to place every man who dared to oppose the plans of ministers in the dangerous situation of a person suspected of hostility to the government and constitution of the country [Hear!]. He particularly well remembered one instance of a hundred gentlemen of respectability, in the north of England, who met together on the 4th of November to celebrate the revolution; a spy of Mr. Reeves's was sent down there, and every word that was uttered by the gentleman present, from affection to the revolution which placed the present royal family upon the throne, was noticed. What then happened? Why, that the spy reported to his employer that there was a great deal of disaffection and treason [Hear!]. Mr. Reeves wrote to an officer who had been present; and whose proper and manly reply to Mr. Reeves was, that if any thing disloyal or disaffected had occurred, he should not have required Mr. Reeves's inquiries or advice to know what he ought to do. Supposing a letter of this description put into the green-bag, totally contrary to truth; full of misrepresentations and calumnies, for expressions used in warm affection for that great event which alone gave to the reigning family their title to the throne of these realms!—A title of

which he hoped and trusted they would always remember the true foundation; but of which, if they abandoned the principles, he could hope for them only the fate of those whom they succeeded! [Hear!]. He remembered very well that for some time Mr. Pitt would not yield to the goadings of Mr. Burke; but was inclined to think the factions contemptible: but then came the great object of putting down all hopes of reform in the representation; and this, more than any other object, governed the measures of the day. Now a similar measure was called for to answer a similar object, which, it was thought, would by this means be defeated: but he believed all honest men, from one end of the country to the other, wished for reform; and they could not expect public security, or public peace, without a change in the representation in that House [Hear!]. He would say, in the words of Mr. Pitt himself, that without it they could neither expect redress for the past, nor security for the future [Hear!]. Could not any man read the preamble of that bill, which declared that the sale of seats in that House was notorious, and as Mr. Speaker had justly and strongly expressed himself, as nototious as noon-day? He knew that many of his friends were displeased at such strong expressions in the preamble; but, for his own part, he thought they showed what was wanted, and laid a foundation for further proceedings in better times. The bill enacted nothing to defeat the great object. Was not the country right, then, with the authorities they had in favour of their opinions, to say that there did exist an influence within those walls which could not unite the House and the people together as they ought to be? It was impossible to have that union in such circumstances. He remembered, on a former occasion, having mentioned that 20,000*l.* had been laid out to purchase seats in that House; then he was told he was mistaken in that instance in the sum; for the amount was only 18,500*l.* He admitted the correction, if that was any gratification to the parties, and was only sorry that so much money had been laid out for such a purpose, for it was far too much. It must appear a mockery to say, that we could have gone on so many years in such an enormous and wasteful expenditure of the public money, had there been a reform in the representation in parliament

[Hear!]. What was to be expected from a parliament under undue influence? What put an end to the expensive American war? Was it merely the wisdom, patriotism, and virtue of the House? No, it was the sense of the people. What was it that prevented a troublesome and ridiculous war with Russia? Was it the parliament merely? No; it was the strong expression of the people's feelings. What was it that procured for parliament in the last year the applause and confidence of the people but the influence of their opinion which put an end to the income-tax, which had it passed could not have been collected. What was it then that could alone explode corruption, and do away places and pensions given, not even for services, but for worse than no services at all? Every grant made for a public service he considered as sacred as private property. But, while he readily admitted that, he did not conceive that the House was prevented from striking off those which were made to reward services directly injurious to the true interests of the country. As to the acts of bad men in the country, those men were not the allies of reform—they were the promoters of the system of those who opposed all reform. The first suspension of the Habeas Corpus act was, to get Mr. Pitt out of the difficulties that attended him in the question of reform. So now the object was, to make use of circumstances to avoid reform, and sanction the establishment of an army too great for the country to hold or to pay; and to blind the nation as to its real state. These plots and alarms were the only means by which to get the enormous expenses of the country tolerated. If ministers were really aware of the true situation of the country, he thought we should have examined carefully into the state of our colonies, and, by making every possible retrenchment, have lopped off our expenses by millions. Whenever they came fairly to grapple with the chancellor of the exchequer, it would be seen, that we shall still have 20 millions of expenditure, in various ways, above our resources. Were not these things enough to draw the attention of the nation? This bill was said to be owing to the discontent of the people. No; the people had been exemplary, patient, and forbearing. The House might see how the legal officers in many places attempted to prevent the people from holding legal meetings. He agreed in what fell from the

hon. baronet (sir F. Burdett), that dangers arose in the country, from the country gentlemen sleeping on their posts, from not doing their duty sufficiently to the people, and leaving matters of importance to inferior hands [Hear, hear!]. The influence of the Crown was to be met with wherever they turned, and in almost every instance; and under the burthens and difficulties of the country it had increased tenfold [Hear!]. It extinguished high spirit, and destroyed independence of character both within that House and out of it [Hear!]. That vast influence must be cut down, or we could scarcely hope to be relieved and revived. He had particularly listened to the solicitor-general last night, of whose character, talents, and knowledge, no one had a higher opinion than himself. If any body could have made out a good argument for the suspension, he expected it from that learned gentleman; but he was quite deficient in producing conviction on his mind. To say that there was difficulty in procuring convictions according to law, was no argument to prove the necessity of suspending the laws. The only circumstance he (Mr. C.) ever regretted, respecting the opposition to the suspension in Mr. Pitt's time, was, that they gave way a little too much to their natural feelings in opposition to such a measure: this warmth gave opportunity to throw many imputations upon gentlemen, which all subsequent circumstances proved to be most unjust. He should vainly hope to stop this measure; but he would say, that if dangers did exist, it was well calculated to increase distrust and to banish confidence in the people [Hear!]. It might, he admitted, be necessary, after all, to the ministers, if they were to proceed upon their system, if they were to make their stand as it had been called, and to refuse to knock off another useless place, after dismissing so many brave men who had fought our battles all over the world [Hear!]. No doubt the dismissal of many of these brave men was painful to ministers themselves: but what might these men say? They might say, why not keep 2 or 300 of them, rather than insist in keeping two useless lords of the admiralty, whose business could be transacted by automaton? [Hear!] The people were not to be blamed for withdrawing their confidence from parliament: he should have done the same himself. He felt it his duty to make these observations,

though at first he did not intend to detain the House more than a few moments; but being reminded of the active part he took on a former occasion, he immediately said he had not forgotten it [Hear!]. He recollected, that when lord Sidmouth came into power, he entertained hopes that the constitution would be restored, and the previous system abandoned. On that account he certainly regretted, that gentlemen for whom he had the highest respect, on his side of the House, had joined with Mr. Pitt to displace the noble lord's administration. He had delayed the House longer than he ought, but he would always, uninfluenced by party, speak out his mind. No man was ever more sincerely attached to the constitution than he: from this attachment he opposed both the suspension of it, proposed by ministers, and the changes that certain reformers, who supported the doctrines of universal suffrage and annual elections, were desirous of making on it. He opposed the latter, not because he suspected their honesty, but because he doubted their wisdom. He reprobated the demand of power advanced by ministers to preserve the public tranquillity against their designs, because he was convinced that such measures were not necessary. He was convinced that the results would be, not to effect public security, but to produce alarm; not to deter Jacobins, if they existed, from endeavouring to accomplish their designs, but to multiply their numbers and increase their force. He would divide the House, therefore, on the measure at every stage.

Mr. Bathurst rose to answer a question which was put to him by the hon. and respectable member as to the conduct of his noble relative (lord Sidmouth) at a former period. When his noble relative then came into office, he found the country in a state which convinced him that the measures, giving additional power to the executive, which had passed during a former administration, were no longer necessary, and under that conviction he proposed their repeal. So far the hon. member was right. But the hon. member omitted to state how soon after those measures were repealed, it was found necessary to renew those measures. A committee was appointed at that time, from whose report it appeared, that immediately after the liberation of the individuals who had been confined, they met and celebrated their release, drank

the health of Buonaparté, and seemed to have the same sort of connexion with the revolutionary government in France which they had kept up before their imprisonment. Conspiracies took place, some of the persons concerned in which answered for their crimes with their lives. His noble relative, though disposed to act (as the hon. member had acknowledged) with the greatest indulgence, found himself compelled to resort again to the measures which he had before given up. It would be found by the Appendix to the report of the committee at that time, that the conspirators even then, in 1801, were connected with the Spenceans, and that all the ideas were then afloat which had now made such a mischievous progress.

Mr. Lockhart declared, that the atrocious projects disclosed in the report of the secret committee induced him most cordially to give his support to the bill now before the House, which was the only means of preventing the realization of these projects. The report of the secret committee stated, that endeavours were made to undermine all the principles of morality and religion. Now, if the suspension bill would work a temporary change in the constitution, surely this was trifling compared with the change that would be effected in the condition of society by erasing from the minds of the people all sentiments of honesty and feelings of piety. If immorality and atheism should gain a footing here, they would not stop, but would extend to the other hemisphere, and overturn all our Indian and foreign establishments. Attempts were made by artful men to drive the people to desperation, by taking advantage of their sufferings; and to inspire them with an aversion to those who were disposed to alleviate their sufferings. There was a prayer which we were all in the habit of using, in which we desired not to be led into temptation. He had heard many speeches which had a tendency to drive the people into temptation, by advising them to dash aside the hand of charity. When such means were taken to inflame the public mind, it was necessary to resort to new means to check the multiplied devices of sedition. They had within their own time the warnings of the downfall of a government unmindful of its duties to itself and to its subjects, and the establishment of one founded on all the principles now propagated. With these scenes in their memory, it was needless to resort to the page of history. He

was firmly convinced that nothing but the measure proposed could save the country from extreme danger.

Mr. Marryat said, the hon. and learned gentleman who had last spoken, had shown that there was a danger at present, but he had not shown how its effects would be obviated by a suspension of the Habeas Corpus. There might be very conscientious differences of opinion on the present question. If there was no choice between a surrender of the liberties of the country for a time, and a great danger of losing them for ever, he should have no hesitation in preferring the former alternative; but he believed, on the best consideration he could give the subject, that the danger had been much over-rated. The precaution in such cases should be commensurate with the danger. He remembered when once at sea the captain ordered the dead lights to be put up, to prevent the possibility of danger. When the women, who were passengers, heard the order, they were so frightened that the precaution was likely to produce upon them consequences as bad as those which it was intended to prevent. He thought we might ride out our present storm—if not without putting up the dead lights, at least without throwing away the sheet anchor. A measure so extraordinary as that which was proposed, would produce much unnecessary alarm on the public mind. Many persons would judge of the magnitude of the danger by the measures taken to avert it, and some loyal subjects would hardly sleep sound in their beds. Neither was it alarm only, but discontent which the measure was calculated to produce. Englishmen were accustomed to consider the Habeas Corpus act as the law which gave them privileges and distinction above all other nations; and to suspend it, could not but afford food for dissatisfaction, and it would, no doubt, be taken advantage of by the evil-disposed to increase the disaffection which unhappily was but too prevalent in the minds of the people. It was to be remembered also, that as yet the House had to sit probably several months, and the House would have it in its power, if the other measures had no avail, to grant the power which the executive now demanded. There would, indeed, have been much greater reason for passing the bill before them, if parliament had been on the eve of prorogation. At present he should think it his duty to vote against the measure.

The House then resolved itself into a committee. The blanks were filled up, the report was brought up, and the bill was ordered to be read a third time to-morrow.

HOUSE OF LORDS.

Friday, February 28.

MALT AND PENSIONS DUTIES BILL].
The House having resolved itself into a Committee on this Bill,

Lord Redesdale rose, pursuant to notice, to propose an amendment. The bill he said, contained a clause of a very peculiar description, stating, that whereas his royal highness the Prince Regent, and many persons holding public offices, were desirous of contributing a certain proportion of the incomes derived from these offices, towards the public service, it was enacted, that it should be lawful to give the proper instructions to the officers of the exchequer to receive such contributions, &c. The clause purported to legalize the receiving of voluntary contributions from persons holding offices and pensions, &c.* The words were extensive, and not so precise as if this were an enactment on which it might be necessary to issue exchequer process. The contributions were to be voluntary; but then they would be voluntary only in the sense in which the contribution for beer-money was formerly raised among their lordships servants. If any one refused he was hooted, and it was by this process of hooting that the present tax was to be levied. If there had been no other objection but that which he had just mentioned to this partial tax, he would oppose it. For his own part, when it was proposed to continue the property-tax he had voted for its continuance, and would cheerfully have paid his proportion; but he would not be taxed in this way out of a part of his income—he would not be hooted out of his money; and he trusted that others would not be induced to be taxed in this way under pretence of a voluntary contribution. The description would include those who had pensions for the most meritorious services—the Marlboroughs, Nelsons, and St. Vincents. Were these to be held out as ill-disposed persons in case they did not choose to contribute to this forced loan? The description would extend to many others. Mr. Palmer, for instance, had an

allowance for services in the post office, and was he to be thus taxed? If the words were to be taken in their fullest sense, they would include every sort of emolument derived from the public. They would extend to the fundholder, to the loan-contractor, and every other description of public contractor. It was neither more nor less than a partial property-tax. A general property-tax he had supported; but he would resist this tax, and would not yield to the only way in which it could be enforced. It might be said, that the words were to be understood more strictly; but though this were admitted they who were clearly comprehended were most unjustly dealt by. What were these salaries?—the property of the holders: and why should those who were employed in the public service be taxed more than others? A cotton manufacturer, devoting his exertions to his own individual advantage, might perhaps realize a property to the extent of a million, while the person who held the situation of first minister of the country could not save a shilling. Had the duke of Newcastle, who had for some time served the public, whether well or ill was not the question, realized a fortune by such service? He had, on the contrary, sacrificed, or materially injured, a princely fortune. Did lord Chatham make a fortune by his public services? Did lord North save money while in office? He happened to know something of lord North's private circumstances, and knew that he had injured his fortune. The late Mr. Pitt, when he accepted office, was rising in the law. He (lord Redesdale) remonstrated with him on that occasion, and advised him not to abandon his profession, in which he was sure to realize as much as would make him perfectly independent. His answer was, that the advice was too late. He accepted office, ruined himself, and died a beggar, and all that the public gave him was a public funeral. He had himself been in laborious offices for thirteen years, and had rather lost money than gained by his services. A noble lord (Erskine) not now in his place, had given up a very lucrative practice, and accepted the chancellorship, and held the office for twelve months, and then retired upon an annuity not equal to one-half of the sum which he derived from his practice; and yet this annuity was to be taxed in this way. But then it might be said that the tax was voluntary. Be it so; still this was a method of putting persons in this situation under a difficulty to

* See the Clause at p. 441.

which they ought not to be subjected. The public expectation would require a contribution, and this was altogether the most abominable tax that ever was imposed. Why should masters in chancery, why should his noble friend on the woolsack, be taxed more than others who had a large property in the country? As for the emoluments of the chancellorship, he would not hold the office, if he could do it, one minute on that account; and he was persuaded, that nothing but a sense of duty, under particular circumstances, induced his noble friend to continue in the office. The sum which the public would gain by this measure was not worth consideration. In another place it had been said, that this was a measure produced by clamour; but if they yielded to clamour, was not that the first step towards confiscation? It was precisely the course pursued in another country. They began by voluntary contributions: then went on to compulsory measures; and, from one thing to another, till all Crown grants of every description were resumed. One man stated, that the estate derived from the Crown had been in his family four hundred years, upon which they told him that they ought to take the more from him on that account. It appeared from the proceedings in another place, as stated in the public papers, that a noble marquess (Camden) had generously given up the greater part of his public salary. But what said the Palace-yard orators to that? They said, that so much was given up from fear, and that the sacrifice was not sufficient, for that the whole ought to be given up. That was not all: these orators were worse than the French Convention, for the Convention was satisfied with taking the estate, but the Palace-yard orators insisted that the noble marquess should not only give up the salary, but that he should "disgorge," or give up all that he had received. He disapproved of the whole of the clause; but their lordships might perhaps wish to legalize voluntary contributions. He should first therefore, propose an amendment, legalizing the receiving of voluntary contributions generally, without confining the measure to any particular description of persons, and then he should move, that the clause be left out altogether. His reason for not moving, first, that the clause be omitted was, that in case that should be carried against him he could not afterwards qualify the clause.

The Earl of *Liverpool* would say nothing as to the general question, whether

efficient officers were or were not sufficiently paid. They would have another opportunity for that, when the whole subject should be brought before them. His noble friend objected to the principle of this measure, and in some instances and in ordinary circumstances, it might be objectionable. This, however, was no new principle, but one which had been recognized, and acted upon, in almost all critical circumstances since the Revolution. In the war which existed at the time of the rebellion in 1745, the principle was recognized as constitutional, and acted on under a judicial opinion as to its legality given by lord Hardwicke. In the seven years war a tax of 5 per cent. was imposed on these offices and pensions, which was a stronger measure than that of a voluntary contribution. In the American war, and even at one period of the last war, during the administration of Mr. Pitt, the receiving such contributions was legalized. The measure, therefore, was new, neither in principle nor in practice. It was one of the most valuable qualities in these general principles, applicable to ordinary circumstances, that they admitted of qualification or exceptions in particular circumstances. He certainly was not able to contend with his noble friend in the construction of the particular terms of an act of parliament; but, with all due deference to him, he conceived that in no sense could the words extend to the funds. There was no intention, certainly, to include property of that description; and, with respect to those persons who were included, they were left to act under the permission as they might think proper. But the Prince Regent had voluntarily given up a large sum out of that part of the civil list particularly applicable to his personal expenses; and it was within his perfect knowledge, that his royal highness had, in giving up the sum in question, made a very great personal sacrifice. He thought that this sacrifice, under the particular circumstances of the country, was properly made; he believed it was gratefully accepted by the public; and it was desirable that others should have the opportunity of making similar sacrifices. He admitted, that the relief to the country would be inconsiderable: but it was a manifestation of the feelings of public officers which it was very proper to make in the special circumstances of the country.

Lord *Holland* said, it was true that this measure was not new in principle; but this

clause was a foolish application of the principle, and might be mischievous as well as foolish. Contributions from those who were efficient servants of the public were not wanted, unless their services were overpaid. But what was wanted was, the reduction and regulation of those salaries which were given for no services at all; unless such salaries were actual property. He could not agree with the noble lord opposite that economy was the first step to confiscation. But the present measure was a delusion upon the public. The proper mode of proceeding was, not to accept contributions from the salaries of efficient offices, unless they were over-paid, which in some instances might be the case; but to do away those salaries which were given for no services at all, by a compulsory clause, instead of adopting this mode of voluntary contribution, and rendering those odious who did not contribute. When he spoke of useless places, he did not mean sinecures, which would come afterwards under consideration, but such places as many of those in the household, and at court. The contribution, as applied to such places, was too small; as applied to efficient offices it was too large. The places to which he alluded had been described thirty years ago in terms so uncourtly, that he would not mention them at present; and many arguments had been then urged for their continuance: but they were arguments which applied to the continuation of the places, and not of the salaries. When his royal highness, before he became regent, laboured under a temporary embarrassment several of his officers served without salary; and he maintained, that such officers in the court as held the places to which he alluded, ought to serve without salary until the revenue of the country was equal to its expenditure. But as to the efficient officers of the country it was unworthy of the country to pay them first, and then to go with this begging-box to solicit a part of the pay back again in the shape of alms. The proper plan was, to pay the efficient offices justly and frugally, and to put an end to the salaries of those from whom the public derived no service in return. The noble lord had said, that the relief to the public would be trifling, and in that he agreed. But then the question was not, what the saving would be, but what was the public feeling; and unquestionably it must be extremely galling to the public to see that, in the general distress of the country, those who held places

which were not necessary for the public service, were receiving the same salaries as they drew in seasons of prosperity. It had been the fashion to talk of the sacredness of this description of property: but there was no property so sacred as to exempt it from taxation. The owner of salt had as sacred a property in that salt as the holders of these places had in their offices. There were a number of places, of which the salaries ought to be done away entirely, or greatly reduced, and this ought to be done by a compulsory clause: but to hold out this begging-box to receive contributions or alms from efficient offices, was consistent neither with policy nor justice. He should therefore, though on different principles from those stated by the noble lord, vote for both his amendments.

Lord Redesdale then moved his amendments, which were both negatived without a division.

HOUSE OF COMMONS.

Friday, February 28.

SOLDIERS SEDUCTION BILL.] Mr. Lushington brought up the report of the Bill, "to revive and make perpetual an act of the 37th of his majesty, for the better prevention and punishment of attempts to seduce persons serving in his majesty's forces by sea or land from their duty and allegiance to his majesty, or to incite them to mutiny or disobedience."

Sir F. Burdett observed, that the measures that had been introduced by ministers were hurried through the House in such a manner, that it was scarcely possible to distinguish one from another, in its passage. He should therefore shortly say, that he was adverse to all the bills.

Mr. Calcraft was in favour only of the bill for preventing the seduction of the military, and the bill for extending to the Prince Regent the provisions of the law for the security of his majesty's person.

Sir F. Burdett also thought it proper that the same protection should be extended to the person of the Prince Regent as to that of the King, but objected to the innovations which were made.

Lord Folkestone thought that the least that could be said of the bill was, that it was unnecessary. All knew, that if any attempts had been made to seduce the soldiery, they had failed. The present measure would throw a slur upon them; for it would make it appear, that they were so liable

to be seduced, that it was necessary that a little flirting with them should be made punishable by law. He approved of the measure which applied to the safety of the Prince Regent : but with respect to the others, he lamented that we should think and act so differently from our ancestors.

Lord *Ossulston* instanced the case of a person who had been committed upon a charge of attacking the Regent on his return from opening parliament, although no proof was exhibited of his having thrown the stone, and this person was subsequently exonerated from any participation in such attack by the evidence of all the witnesses examined. The law did not require to be drawn tighter. He was afraid there were already too many temptations to prefer accusations of this and other descriptions.

Sir *G. Heathcote* thought that the bill before the House was calculated to impress on the public the idea that we ought to have a large body of forces in time of peace. He objected to large standing armies as unconstitutional, and wished that more confidence were placed in the civil power. It did not appear to him that any serious disturbance was to be apprehended for he was perfectly certain that every man in the country who had any thing to lose, was attached to his majesty's government. Of the four bills, the only one which he could support was that for the better protection of the person of the Prince Regent.

The Report was agreed to.

YEOMANRY.] Mr. *Addington*, in presenting returns of the Yeomanry and Volunteer Cavalry in Great Britain, said, he should take that opportunity of advertg to the statement of an hon. member (Mr. *Wynn*) the other night, in which that hon. gentleman had seemed to convey an imputation against that branch of the government to which he belonged, that it was not properly disposed to encourage the yeomanry of the country. He was the more surprised, as he and his noble relation were known to entertain the most exalted opinion of that constitutional description of force; of the zeal, promptness, alacrity, and public spirit with which they had attended the summons of the civil magistrates, and on many occasions protected the peace of the country. He had to state that since the beginning of October every effort had been made by the home secre-

tary of state to increase the yeomanry in all parts of the country, especially where the spirit of disturbance prevailed. For several months past it had been determined to revive part of the allowances which were formerly made for that service. He had sorely regretted their reduction at the time when public economy had rendered it necessary, and he should be most happy to use his best efforts to have them restored. He was convinced that on the yeomanry, the constitutional force of the country, its tranquillity mainly depended.

Mr. *Wynn* said, he had stated, certainly, that there was a necessity for government to give more than mere encouragement to the training of the yeomanry forces at the present day, as it must be obvious that the class of society from which this force had always been collected, was now materially affected by the pressure of the times, and could not, therefore, provide and equip themselves, as in better times they freely had done. He then alluded to the case of a friend of his who had raised an additional troop in one of the most disturbed towns on a former occasion, and had made an application to have three years allowance in advance, but had met with a refusal, and had consequently advanced the money out of his own pocket. He was persuaded that the influence of the yeomanry in repressing cases of popular disturbance was much greater than that of the regular force. The people would in many instances be deterred from violence by seeing those arrayed against them to whom they were accustomed to look up as their masters. He was glad to hear that there was a probability of the increase of their allowances, for unless that were done it would be impossible for them to maintain themselves.

Mr. *Coke* wished for a constitutional description of force, rather than for one of another description. He had for forty years uniformly maintained those principles which he should continue to maintain to his death,—principles of decided hostility to those on which for that period the government of the country had been conducted. He very much feared that there existed a disposition and a settled intention to produce a state of things in England nothing short of despotism; and he was anxious to put the House on its guard on the subject. He uttered this as his unbiassed opinion. He had nothing to ask either of one side of the House or of

the other. He spoke merely as an honest man representing a great and important county [Hear, hear!].

PETITIONS AGAINST THE SUSPENSION OF THE HABEAS CORPUS ACT.] Sir *James Shaw* said, a petition had been put into his hands, which had been agreed to at a meeting of the livery of London that day assembled in Common Hall. He had been prevented from attending the meeting, but he understood that it had been very numerous, and that the petition had been agreed to unanimously. The petition was couched in decent and respectful language; the prayer of it was, that the bill for the suspension of the Habeas Corpus act should not pass into a law. With respect to the other measures before the House, he thought that circumstances rendered them necessary; but with regard to the suspension of the Habeas Corpus, he considered that it was uncalled for by the necessities of the case. He then moved that the petition be brought up.

Mr. *Calvert* could not help congratulating his brother liverymen that they had found at last another representative to coincide in opinion with them, and to do justice to such petitions as they might think proper to present to the House. He had not been at the present meeting, but he agreed with them in thinking that the present measure was altogether uncalled for, and that the House, in depriving the people of their rights and liberties, were neither warranted by any thing contained in the report, nor by any thing that had fallen from his majesty's ministers.

Mr. *Calcraft* thought the speech of the hon. baronet who had presented the petition, most valuable. That hon. baronet had seen the terrible mob which had been the occasion of the suspension bill: he had been one of those by whom that mob had been dispersed, and if the best evidence had been wanted before the secret committee, none could have been better than that of the worthy alderman. It was now the only one before the House. He congratulated the city of London on the circumstance, that one of their representatives, after seeing all these mighty undertakings, which were to end in the seizing of the Tower, and the destruction of the bridges and barracks, and after taking such a prominent part in the crushing them, came forward and bore testi-

mony to the insignificance of these undertakings. It was not on such grounds as had yet been laid before the House, that the great charter of our liberties, the sheet-anchor of our constitution, ought to be suspended.

Mr. *P. Moore* congratulated the House on the acquisition of evidence which superseded all the evidence hitherto given. If hon. gentlemen would abide by their own senses, and not by the ill-fangled report of the secret committee, they would come to the conclusion that that report was a libel on the country, and an attempt to impose evidence upon them. He wished that every member should be called upon in his place to declare what was the state of the part of the country which he represented. If this were not done, the country was condemned unheard. If the House did its duty by its constituents, it would set aside the report. Most of the petitions demanded the restoration of the rights of which the people had been deprived, but instead of doing that, the House proceeded, as often as it met, to deprive them of other rights. The constitution rested on two great pillars: property and liberty. The whole property of the country was now gone. It had been taken in taxes and wasted in wars, for the nefarious purpose of preventing reform. Now that the ministers had obtained all they could in point of money, they wished to take away the liberties of the country. It was a foul conspiracy against the people and the state for the purpose of establishing despotism. The question was, whether Englishmen were to remain free, or to become a nation of slaves.

Sir *Samuel Romilly* took this opportunity, while they were deliberating on a motion for bringing up a petition from the livery of London, to beg the House would take into its consideration how very large a number of the subjects of this country could not express their sentiments on the subject of this measure, and that those who could not possibly come to the bar of the House were precisely those who would be most affected by the measure. If by the suspension of the Habeas Corpus act the people of England would be placed in a miserable condition, the people of Scotland would be placed in a far more miserable condition. He did not know that there was any difference between the people of the two countries till he saw the clause of the act which related to Scotland. There was no difference between the two

countries in the act of 1794, though at that time the situation of Scotland was such as to give rise to great alarm, and a convention was actually held in Edinburgh. He doubted whether any persons but the law officers of the Crown knew what would be the situation of the people of Scotland under this bill. The situation of the people of England was, that any person committed by a warrant signed by any of his majesty's secretaries of state, or by six privy counsellors, for high treason, suspicion of high treason, or treasonable practices, could not be bailed or brought to trial without the consent of six privy counsellors, until the 1st of July 1817. This was certainly a violent encroachment on the liberties of the people, but still in this part of the kingdom, there never was so wild an idea entertained as that the power of commitment under the act should be confided to any magistrate. But the situation of the people of Scotland under this act was this, that not only on the warrant of a secretary of state or six privy counsellors, but on the warrant of any subordinate magistrate, any sheriff substitute, or any justice of peace, could persons be committed on charges of high treason, suspicion of treason, or treasonable practices, but all judges were prohibited from holding them to bail or trying them, until they could obtain the consent of six privy counsellors. With the permission of the House he would read the clause of the bill relating to Scotland—"And be it further enacted by the authority aforesaid, that the act made in Scotland in the year of our lord 1701, intituled, 'An act for preventing wrongous imprisonment, and against undue delays in trials—(the great Habeas Corpus act of Scotland passed in the reign of king William)—in so far as the same may be construed to relate to the cases of treason and suspicion of treason, be suspended until the first day of July, 1817, and that until the first day of July, 1817, no judge, justice of peace, or other officer of the law, in Scotland, shall liberate, try, or admit to bail, any person or persons, that is, are, or shall be in prison within Scotland for such causes as aforesaid, without order from his said majesty's privy council, signed by six of the said privy council." So that any man who stood committed by any inferior magistrate, any sheriff substitute for instance, might be kept in prison under such commitment, and could not be brought to trial without the consent of six privy counsellors. He

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really did not believe, that the members from that part of the country were aware how the liberties of Scotland were disposed of under this bill. The noble lord (Castlereagh) had told them the other day, that they need not be afraid, they knew into what hands this power was to be committed; but he did not then tell them that this power was also to be placed in the hands of the learned lord opposite, for whom had the greatest respect, though the learned lord had not yet been in such a public situation, as to afford him any opportunity of knowing whether he could safely place the liberties of all Scotland in his hands. But under this bill, the liberties of the people of Scotland were not only placed in his hands, but in the hands of all magistrates, of persons who were not responsible, like cabinet ministers, men who had the eyes of the public on them, but obscure magistrates. This was putting the whole of the people of Scotland, and more especially the lower ranks, in a situation in which their liberties must be taken away without remedy. How could any obscure individual, in that remote part of the empire, possibly have such interest with six privy counsellors, as to obtain an order to be brought to trial? He could not bring himself to believe, that even his majesty's law officers, were aware of the situation of the people of Scotland under this bill, or that the members for Scotland knew of it. He was happy to have had it in his power to make this statement in presence of the first law officer of Scotland, that if he had fallen into any mistake on this subject it might be immediately corrected.

Mr. *M. A. Taylor*, after the statement which had been made by his learned friend, a statement of the correctness of which he was convinced, from its not having been disputed by the learned lord opposite, put it to the House—if they were resolved that this bill should pass into a law—whether they would allow it to pass with this blemish?

Sir *S. Romilly* rose to state, that though the same clause was not in the act of 1794, he was aware that it was in the act of 1798.

The *Lord Advocate* of Scotland said, he knew that it was competent to any member to make observations on the subject of petitions presented to the House, but he was not aware that any member was at liberty, in a discussion on the motion for bringing up a petition, to make observations on a clause in a bill which was not then under

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the consideration of the House. When that bill came properly under the consideration of the House, he should be ready to answer the statement of the hon. and learned gentleman.

Mr. *Brougham* agreed with the learned lord that it was competent to any hon. member to make observations on the question for bringing up a petition, and the House did not want such high authority to convince them of their being in the possession of this right. If they doubted it, however, they now had it from high authority. They had it from the highest law authority of Scotland, the learned lord opposite, newly imported into the House from that country, that it was competent to every member to make observations on the question for bringing up a petition. He wished the learned lord to know, that this was a right with which the greater part of members of this part of the country had long been acquainted. He wished him to know, that it was to this right they were indebted for some of the most valuable privileges that ever were wrung from a reluctant government; and he trusted that this right would still enable them, acted on with proper spirit, to defend the liberties of the people against the encroachments of the enemies of these liberties. But this was the first time that he understood that it was not competent to any member to ask such explanation on the subject of a clause in a bill which would shortly afterwards be discussed for the last time in the House, as, if obtained, would enable the House to come properly prepared to that discussion, and to ask that explanation from the person who must be supposed best able to give it. He rather thought the reason why the learned lord did not meet the statement of his learned friend with any explanation, was, that he had no explanation to give.

The *Attorney-General* could not help thinking that the hon. and learned gentleman had not correctly heard what fell from the learned lord. He merely stated that he would give the necessary information to the House at a more convenient season. The best reason why such statements should not be brought forward, except when the subject to which they referred was properly before the House, was, that the person to whom it belonged to give the proper information could not be supposed in his place to give such information. He knew that when the subject came under the consideration of the House the state-

ment of the hon. and learned gentleman could be satisfactorily answered.

Mr. *Madocks* hoped as a petition was now presented from the city of London against the suspension of the Habeas Corpus act, that time would be given for his constituents to send a petition from Boston. He hoped time would be given for the whole country to petition. He hoped the House would interpose to compel ministers to postpone the third reading for a week or ten days, to allow a fuller attendance of members, and to afford the other half of the House, now absent, most of them probably in the country, to attend in their places, and report on the several districts they reside in or represent, as to the actual condition of the people. Would the House suffer the measure to be precipitated in this manner? Would they allow the people to petition on a turnpike road that leads to the county town, and prohibit them from petitioning on a measure that leads to the county gaol, and that too on suspicion? And where was the road by which they were to return? Not through the avenues of justice, for they were closed, and the trial by jury denied them. And when? Who could predict the duration of their durance? Who could foresee the numberless pretences which the ingenuity of tottering power might invent for its continuance? The descent to the dungeons in the Tower was easy and certain; the return difficult and uncertain—

Facilis descensus averni,

Sed revocare gradum superasque evadere ad auras,

Hic labor, hoc opus est.

The *Lord Advocate* asked sir Samuel Romilly, if he had not said the clause objected to was not in the act of 1794?

Sir *S. Romilly* answered in the affirmative.

The *Chancellor of the Exchequer* said, before the House proceeded further, he would read a clause in the act of 1794. [Here the right hon. gentleman read a clause, which was worded like the clause in the present bill.] He did not see how his hon. and learned friend could by any subtlety establish a difference between the two clauses of the act of 1794 and the present bill.

Sir *S. Romilly* disclaimed all pretensions to subtlety. When he made the statement he had expressly stated, that if he was wrong he should be happy to be corrected. He had looked over the bill of 1794 too hastily. However, the ques-

tion for this House was not whether the clause was ever before in the act, but whether they were to lay the people of Scotland prostrate at the feet of the learned lord and any magistrate in the country, and upon that subject the learned lord had, as yet thought proper to give no explanation.

Mr. *Ponsonby* asked, what it signified whether such a clause was in the acts of 1794 and 1798 or not? He would ask too those around the learned lord, whether they understood the clause? Would any of them get up and explain it to the House? Would they tell the House and the country, what they certainly had not understood, that by this measure they would place the liberties of Scotland at the mercy of the lord advocate, and every inferior magistrate of that country.

Mr. *Bathurst* said, that whatever might be the merits or demerits of the clause, there was no one at present to answer for them, as it had stood in other bills which had passed the scrutiny of as great acuteness and talents as the House could now boast.

The petition was ordered to lie on the table.

Mr. *Brougham* said, he held in his hand another proof of the great advantage which would result from allowing the people of this country time to express their sentiments on the important measure now before the House. Although one half-day only had been allowed to the inhabitants of Liverpool, they had sent up the petition which he now held in his hand, couched in respectful language, praying the House not to pass the Habeas Corpus suspension bill into a law. When he looked to the names he found among them the greatest proportion of the wealthy, respectable, and distinguished inhabitants of that place, and in confirmation of this he would refer to the right hon. gentleman opposite, the member for that town. The petitioners said they did not venture to express any opinion on the subject of the allegations in the report of the secret committee, but they ventured to express a strong apprehension that whatever foundation there might be for the charges in the report, there was but too much reason to suspect that it would bring into activity designing and mischievous men, who, without knowing any thing against any body, would insinuate matters of accusation against their neighbours for the purpose of involving them in trouble.

Mr. *Coke* said, he took that opportunity to state a fact, which still further invalidated the report which had been presented to the House from the secret committee. He submitted to the House whether the authority of that report was not weakened day by day; and even by the statement of the lord advocate respecting the arrests in Scotland, which proved the efficacy of the existing law. He held in his hand a letter from a gentleman of great respectability residing at Norwich, who was a member of the societies which had been aspersed in the report, called Union Societies. This gentleman, Mr. Edward Taylor was a member of the Norwich Union Society. His letter he should read to the House. [Mr. *Coke* then read the letter, which stated, that the writer had seen in the report of the secret committee in the newspapers, the Union Society of Norwich, in common with other Societies of the same description, charged with taking secret oaths, with being affiliated with other societies, and holding midnight orgies, in which the scriptures were ridiculed, and plots discussed for overturning the government of the country. Having been a member of that society from its first formation, he was able to give, from his own knowledge, an unqualified denial of every part of that accusation. The sole object of the society was parliamentary reform, of the necessity of which he had, from his first being able to form an opinion, been convinced: and to endeavour to obtain which, by all lawful means, he felt a duty incumbent upon him. The Society never held correspondence with any other society. It neither desired nor courted secrecy, but had printed and published the declaration of its sentiments. It had no oaths of any kind: it had brought no arms, nor had ever intended to use any weapons but truth and reason; whatever the religious opinions of any of the members were, they were never made the subject of discussion—much less was religion scoffed at or ridiculed. He therefore imagined that the report must have been founded upon evidence suspicious, because, as far as regarded Norwich, it was utterly unfounded. He therefore hoped it would not be made the ground of subjecting every Englishman to the danger of a Bastile; and he was ready to give proof of his assertions either to any member of the administration, or to Mr. *Coke* if he required it]. The hon. member then observed, that it was certainly surprising that the

committee had proceeded upon evidence which had turned out to be so erroneous. As to the character of the gentleman who gave the information, his hon. friend (Mr. W. Smith), and the other member for Norwich, if he had been present, would be ready to give the most satisfactory testimony.

Mr. *William Smith* rose exactly to the same point as that to which his hon. friend had spoken. To the character of the gentleman whom his hon. friend had referred to he could bear testimony, but he wished his hon. colleague had been present, who though he differed from him in political opinions, would speak equally favourable of the character of Mr. Taylor. He felt it necessary to say, that when he saw the report (which was that of the committee of the other House, which alone referred to Union Clubs) he had never imagined that the accusation against these societies could at all refer to that at Norwich. Being in the habit of communicating continually with the citizens of Norwich of all descriptions, as well those who agreed with him in political opinions as those who were of a very different persuasion, he could say that he never heard one imputation on the motives or conduct of that society, even from those who were not at all friendly to its objects. As to the individual whose letter had been read, there could not be a man of greater respectability, or less likely to be concerned in any improper practices. The letter which he had received from that individual differed from that which his hon. friend had read, in a postscript, which stated that the declaration of the Union Society was inclosed to him, which declaration the writer had thought of sending to lord Sidmouth. At a meeting held at Norwich for the purpose of obtaining parliamentary reform, at which he (Mr. S) had been present, he had not the slightest hesitation in saying, in full hall, that it was of no importance what reform took place in parliament, unless the electors reformed themselves: and that any man who suffered himself to be influenced in his vote by any private consideration, was not entitled to petition for parliamentary reform. It was obvious that men who received favourably such a declaration, were not of those wild and intemperate persons who were unfit to judge on any political question. That meeting was perfectly quiet, and showed no disposition to interfere with the peace of the city or the country at large; and

though at that meeting, as before the august assembly which he then addressed, he was ready to state that universal suffrage and annual parliaments formed no part of his creed, he was not in any fear of losing the confidence of the people of Norwich on that account.

Mr. *Bathurst* observed, that the report before the House could by no possibility be construed to extend to the Norwich Union Society, neither did he think that a candid perusal of the report of the other House would lead to the supposition that this society was implicated in the improper practices. The declaration of the Norwich society had been before the committee of that House, and it was not thought that it would justify any allusion to it in the report—that declaration was in favour of annual parliaments and universal suffrage. If it found its way into the report of the other House, it was coupled with other societies, but it could not be supposed that the mischievous designs alluded to were to be attributed to every one of those societies, much less to every member of them.

Mr. *Harvey* said, that as he had recently come into the House, a letter had been put into his hand by his hon. colleague from a respectable gentleman of Norwich. He was ignorant of the question before the House. If it related to the Union Club, he could say he knew nothing of it. If to the writer of that letter, Mr. Edward Taylor, he knew him to be a man of considerable respectability, a person for whom, (though he differed from him in political questions) he had the greatest respect, and who he was convinced would never be connected with any club or society whatever, which had for its object to subvert the constitution.

Mr. *Tierney* said, the facts which were continually coming out proved the use of having the report which had been laid before the other House and the necessity of some delay to examine the foundation of those reports. That evening, for the second time, it had been proved, that the Lords committee had been mistaken in matters of fact. The Lords committee had proceeded upon the same evidence as the Commons, but had drawn different conclusions from it. It was very necessary to ascertain in what the Lords had been mistaken, for as two mistakes had already been discovered it was possible they might find out ten more. It appeared, from what had been said that night, that

the Commons committee had before it the declaration of the Norwich society, but had not thought it necessary to mention it. There was only this same declaration before the Lords committee, and yet on that slight foundation they had thought fit to impute to the society practices leading to revolution. Now, if they were to suffer these unfounded assertions to pass without inquiry, there was an end of security for the character of any man, however innocent; and, what was more, there was an end of all respect for that House in the country, if they could consent to pass a law founded in great part on such mis-statements.

Sir *James Mackintosh* spoke shortly in the highest terms, as to the respectability of Mr. Taylor, the gentleman from whom the letter came, which had been read to the House.

Mr. *John Smith* considered it very improper not to give the people time to contradict the imputations that had been flung on them in the report of the secret committee, which he denied was founded on facts. The report began with an allusion to a society called the Spenceans, which, it said, had openly existed. Now, he was member of a committee for inquiring into the distresses in Spital-fields, where he had found an excess of misery, that would have induced compassion, even to the errors of the sufferers; but although he had gone from house to house, and from room to room, he could not, in all his visits, discover any traces of its existence. And after all that had been said upon the subject, both in the report and in the newspapers, he was inclined to believe the entire Spencean society to be what was vulgarly called a humbug. It was indeed very possible that many persons in the country might entertain wild and chimerical doctrines, but the report applied this character to the whole country. With respect to the riots on the 2nd of December, he allowed that he had felt a considerable alarm on that occasion, but the whole proceeding could not justify the application to it of the term insurrection. An insurrection at 12 o'clock, in the middle of the day, and in the city of London! If, indeed, it had burst out at 12 at night, or even at five in the evening, it might have been so designated, but all he could say was, to express a hope that proper precautions would be taken against the recurrence of such excesses, but by other means than the suspension of the Habeas

Corpus act. If this suspension were put in force in the east end of the town, in Spital-fields, it might be almost considered as a blessing, for there were thousands of persons there who would gladly barter their liberty for food and clothing. As to the imputation of irreligion, he thought it a gross libel on the people of England. though there might be some individuals who were tainted with improper principles, the great body of the people was more religious than before the revolution. He could answer for this in the district with which he was connected. He thought it also threw a discredit on the report, that it did not allude to the Luddites who had very recently committed outrageous breaches of the peace. The hon. member stated, that a short time since he had been in France, when, in the pride of English liberty, he had, in the presence of a Frenchman, censured the power of arbitrary imprisonment in that country; but the Frenchman taunted him with the frequent suspensions of the Habeas Corpus act, and said, that all the boast of English freedom was a mockery, as it might be at any moment suspended at the desire of the ministry. This the hon. member denied, saying that no minister would dare propose the suspension of the Habeas Corpus act, unless the cause was manifest to the whole nation, and approved by the majority of the people. "I now," said Mr. Smith "blush to find that the Frenchman judged more correctly than I did of the presumption of an English minister, and of the constitution of an English House of Commons."

Mr. *Long Wellesley* said, he differed materially from the hon. gentleman who spoke last, as to what was the general opinion in the country concerning the bill before the House, for he believed that the public opinion was strongly in favour of the bill. That hon. gentleman had said, that among the inhabitants of Spital-fields he had found no Spenceans; but the fact was, that none of those who professed the Spencean principles would be willing to avow them, so that there was no good argument to be deduced from the hon. gentleman's inquiries as to that point.

Lord *Cochrane* said he had received a letter from Mr. Chapman, a member of a club for parliamentary reform, at Loughborough, denying all the charges against those societies in the reports of the secret committees.—He took that occasion to ask the lord advocate, whether it was true

that the persons arrested in Scotland were of the lowest orders with the exception of a schoolmaster and lawyer's clerk? It was said, that it was a meeting of poor persons to obtain some parochial relief. He was confirmed in the belief that it was so, by a letter from Glasgow, dated so far back as Feb. 8, in which it was said, that at a meeting in the neighbourhood of Glasgow, a dignitary of the law, who received a pension from the public, had asserted that the heritors were not bound to assist the poor. The Sheriff had decided, however, in favour of the people, but the appeal was carried to the court of session to teach them patience. This letter was signed J. McArthur, which was the name of the gentleman who had transmitted to him the petition from Glasgow.

Sir F. Burdett presented a petition from the chairman of the Leicester Hampden club who felt himself aggrieved, in common with many other individuals, by the report presented to both Houses of Parliament. He wished to vindicate the club from the imputations cast upon it, and was ready to prove at their bar, that its meetings were held for the laudable purpose only of seeking to obtain such a reformation of that House as would restore the people to their just rights and privileges.

The petitions were ordered to lie on the table.

HABEAS CORPUS SUSPENSION BILL.]
On the order of the day for the third reading of this Bill,

Mr. M. A. Taylor rose and said, he did not mean to trouble the House at any great length, but he wished to have those sentiments recorded which, for a series of years, he had always expressed upon the subject of suspending the Habeas Corpus, and which would die with him. As to the doctrines professed by a set of men calling themselves Spenceans, he felt no alarm at them; they had slept for twenty years, and if now revived, he did not think it likely they would have many converts. If any person imagined that there was an insurrection now upon the eve of bursting forth, nothing which he could offer would be calculated to remove that suspicion from their minds; but with regard to that which took place on the 2nd December, it had been crushed by the existing laws. Those laws also had since been found sufficient to put down a conspiracy in another part of the island, according to the declaration of a learned lord upon a for-

mer evening. He did not, therefore, see any adequate necessity for the present measure, and without a case of extreme and positive danger no power on earth should induce him to sanction a law by which any man might be imprisoned for an offence that in other circumstances would not send him to trial. He would trust no individual with such an authority he would not even trust himself. The worst feature of it was, that it placed every man's personal safety within the reach of insidious, malignant whispers against his character. He would put a case that happened to himself, and he hoped he was not suspected of treasonable intentions. He loved his country too well, and the comforts he enjoyed in it. When Mr. O'Connor was forced to leave Ireland in consequence of being a United Irishman, he brought letters of introduction to several persons in this country, and among others, to himself (Mr. T.) He was ready to declare, that while he visited at his house, there was nothing in his conduct that would have led him to suspect he was a United Irishman. It happened, however, that before he was apprehended, he was traced from his house to several places where United Irishmen assembled. Now, suppose his (Mr. T.'s) character had not been what it was, what might have been his situation? Upon mere suspicion he might have been torn from his family and thrown into prison, without the means of exculpation, without being permitted to tell how he became acquainted with Mr. O'Connor, without the power of demanding his trial that he might prove his innocence. A similar occurrence might happen to a man in a lower situation of life, and how was he to protect himself against its consequences. And yet it was the boast and glory of Englishmen, that every person, whatever his station in society, found equal protection in the eye of the law. It was because such evils might happen, that he would never consent to suspend the bulwark of British freedom. If the law, as it now stood, was insufficient to punish those libellers who strove to undermine the very basis upon which the well-being of society rested, he would arm the executive with greater power, but he would not give it arbitrary power. He had opposed the suspension of the Habeas Corpus in 1794, and was one of a very small minority; because many went over to the other side of the House at that time, whose names, he believed, might now be

found upon the pension list. In 1797, he remembered the same question was discussed in that House, in the presence of not more than seventy members: such was the fatal consequence of men's minds becoming habituated to such a proceeding. With respect to the question of parliamentary reform, though he was not prepared to go the length of some persons, yet he had no hesitation in declaring that he was a small reformer [a laugh]. Yes, a small reformer, for there were several things which he wished to see reformed. Who would say, for instance, that Scotland ought not to be differently represented. Or that some boroughs should not be disfranchised? Boroughs which he believed the ministers themselves would be glad to get rid of, if they could. He did not desire to pry into the secrets of the cabinet, he never had been, nor he supposed he never should be, a minister; but he would rather live under any tyranny than the tyranny of certain borough-monsters. He did not allude merely to those who were now in power; if his hon. friends on that side of the House were in place to-morrow, they must submit to the same tyranny, unless the constitution of that House were altered. He was of opinion, however, that sooner or later some species of reform must be carried. He might not live to see it; but when any one considered reform and revolution as synonymous, they confounded two things that were totally distinct.

Mr. *Windham* *Quinn* did not think the active participation of men of note in a general conspiracy was essential to the existence of great danger. The lower classes were the instruments necessarily employed in all insurrectionary movements; and if they were divided into clubs and societies, the work of insurrection might easily be commenced. It was not conclusive to say, that because the lord advocate of Scotland had arrested some individuals, he had therefore sufficient legal powers to put down the mischief, and take into custody all who might be proper objects of suspicion. He had understood the learned lord to state, that there were persons against whom it was desirable to proceed, if the law would enable him to do so. It was useless to talk of precautionary measures after the danger had actually arrived; the object of the present bill was to guard against contingencies, and the recurrence of the evils which had already taken place. In committing these

additional powers to ministers, it was not to be forgotten, that they were at all times responsible to parliament for their exercise of them.

Mr. *Protheroe* said, that though he was as unwilling as any man to give up what was justly called the great bulwark of the constitution, yet, from the intimate conviction he had, that in certain manufacturing districts the most extensive combinations existed, for the worst purposes, which were carried on with a degree of system, of method, and of caution, which the existing laws could not reach, he should support the present measure.

Mr. *Lyttelton* said, that if the question now at issue were not of the greatest importance, and that the voice of the humblest individual ought to be raised against it, he should not have ventured to present himself to the notice of the House. He was the more anxious, however, to clear himself from the imputation that had been cast upon those who sat on his side, that if they did not encourage the violent proceedings which had taken place, they at least supported them by the arguments they had held, and the vote which they had given on this occasion. [Cries of No, no! from the Ministerial benches.] He was glad to hear that such imputation was to be removed. This was a measure which could be justified only by the most imperious necessity. The noble secretary of state, in one of those insidious panegyrics on the constitution, which always preceded or accompanied some attack on it, had endeavoured to convince the House that the country was in the utmost danger; but the evidence which had been that day produced must have considerably shaken the report of the committee. It had been said, that great disturbances existed in the manufacturing districts; and certainly we wanted no report to satisfy ourselves of that fact; but the peace of the metropolis had not been disturbed to the extent that was stated. It was necessary, perhaps, to go through the form of a secret committee; but the government must have had means enough before of controlling any violent proceedings. He must now inquire what the officers of the Crown had done to punish or prevent such persons as had been suspected. They ought immediately to have had recourse to constitutional measures. Ministers, however, should have assembled parliament at an earlier period; whereas they had put it off till a period unusually long, and had suf-

ferred the laws to lie dormant. Thus had they brought parliament into contempt, and the laws into disrepute. They wished the nation to look to government rather than to parliament; to despotic law rather than to the common law. How had ministers met the wishes of the nation by adopting a system of economy and retrenchment? They had done nothing that had not been extorted from them; they had done nothing to alleviate the distresses of the people; and what they were now about to do was as despotic as it was cowardly. Not a single word had been advanced in that House to overcome the force of precedent: unless they could make good the precedent of 1794 as applicable to the present times, their argument must fall to the ground. At that time there was this essential difference, that we were at war with France, who might threaten us with invasion, which, if successful, might have induced many persons here to join her. The only precedent, therefore, which they had adduced was a mere phantom. He asserted, that the greatest abuses had been committed respecting the alien act, and that the noble secretary of state for the home department, had been induced, by false evidence, to injure several miserable foreigners in this country. If, then, we had now a person at the head of the home department who had abused that power to his own disgrace, to the disgrace of the office which he held, and of the nation, was not this an additional argument against the passing of this act, under which men's passions were more likely to operate than their judgment? In examining precedents, he would merely look to the conduct of our ancestors; and would then ask, whether there was any difference between the law relative to suspected persons in France passed last year, and that which we were about to adopt. Circumstances might justify it in that miserable country which would not justify it here. He should have been ashamed of himself, if he had not expressed his sentiments on this most important occasion. He should not have discharged his duty to the House, or to the country, without saying a few words against an act which he considered to be as unconstitutional and unnecessary as was ever proposed by any set of ministers.

Mr. *Lamb*, as a member of the secret committee, thought that whatever information they might have, it was impossible not to feel that the general situation of the country ought to have led ministers

to take the constitutional course of calling parliament together at an earlier period. He thought they would have done better to have followed the precedent of Mr. Pitt in 1800, when there was great distress and rumours of the same nature as at present. He caused parliament to be assembled on the 11th of November, and put these words into his majesty's mouth: "My tender concern for the welfare of my subjects, and the sense of the difficulties with which the poorer classes particularly have to struggle, from the present high price of provisions, have induced me to call you together at an earlier period than I had otherwise intended. No object can be nearer my heart, than that by your care and wisdom, all such measures may be adopted, as may, upon full consideration, appear best calculated to alleviate this severe pressure, and to prevent the danger of its recurrence." He was not a very old person; but it had been his lot to see war upon war, revolution upon revolution, and change upon change, and he had observed that the liberties of Europe came impaired out of every struggle. It was with pain that he found himself called on to support the bill, which, notwithstanding all that had been urged against it, appeared to him to be necessary, in the present situation of the kingdom. For did not the situation of that country require something of a remedial nature where public meetings were every day held, and a military force was kept up for the purpose of preserving the public peace? An hon. baronet (sir F. Burdett) had adverted to the plan of sir William Jones for keeping the peace. Why, that was a plan to be executed by force as well as this; for it was nothing else than to make the physical force of the governors equal to that of the governed. When the grievances were pressing, and the minds of the people disturbed, he must say that it was the duty of ministers to look at the question in the most serious light, and to resort to every measure that might have the effect of tranquillizing the public mind. What benefit, then, could be bestowed that would have this effect. The hon. baronet would say, "call the people together, and grant them reform." Would any man stand up and say that parliamentary reform would now satisfy the people? It was impossible. If he could be shown any measure that would tranquillize their minds, he would subscribe to it. It was

a delusion to expect that any system of economy could relieve the distress that now existed. We could only look forward to a return of the resources and energies of the country, which would work its own restoration. With respect to the report, which had been so much criticised, he thought those who framed it were not bound to enter into a minute defence of it; but when they were charged with putting absurdities into it, it ought to be known on what ground such a charge rested. Those who undertook to state evidence, were surely bound not to garble it. Thus, if the facts about the intention of seizing the Bank, burning the barracks, and destroying the bridges had been withheld, and it had afterwards been found necessary to allude to it, it might have been said,—"This is not the plot of the conspirators; you must have made it, or you would have introduced it into the report." But it was not on this part of the report, nor on any plot, or conspiracy, or design, that he should found the vote he meant to give, but on the general situation of the country. One gentleman defended the Hampden, another the Spencean Clubs, and he had no doubt there were many well-meaning men among them—he could not, however, blink the fact, that a disposition generally prevailed among these clubs to carry their designs into effect by physical force. It was impossible to overlook the activity of the delegates who went from part to part, dispersing seditious tracts and exciting disturbances. He believed that the measure before the House was of the highest possible consequence, to prevent and intimidate those persons from coming forward, to put themselves at the head of the disaffected. The ordinary course of the law might be sufficient, if the law were suffered to take its course; but he believed it to be stopped and arrested, by the system of threats and menaces which intimidated jurors and witnesses, which those persons knew, by former occurrences, were not idle and vain, but would be carried into certain and bloody execution. After the bill had passed, he trusted we should hear very little more of treasonable practices; but it was his opinion that it would tend to the peace and prosperity of the country, and he should be very happy to bear his share of any odium that might result from it.

Lord Folkestone could not but express his astonishment at the observation of the

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hon. member who had just sat down, that the existing laws were not at this moment in full operation. He had been in the habit of conversing with gentlemen from every part of the country: he had seen many of them even that day; and he had never yet heard of that dreadful and portentous state of the country which the hon. member had described. If the hon. member meant to rely on this as a reason for supporting the suspension of the Habeas Corpus act, why had he not told them that in the report of the committee? But how was the suspension of that great bulwark of English liberty to remove this dreadful difficulty? He protested against what the hon. member had stated to be so necessary—the intimidation of the people. If ministers intended nothing more than this, they dealt most unfairly with the country. Why were the whole people of England to be deprived of the benefits of the constitution. He believed, however, that this was the secret reason for bringing in the present bill. From all that he had been able to learn on this subject, the prisoners themselves could not force on their trial for two months to come, and therefore it was only for the purpose of intimidation that ministers had ventured to propose this measure. He hoped that the House would interfere, and prevent the passing of this bill for this very reason. He begged them to pause, and not to hurry on the bill in this indecent way, in order that the lord advocate might come forward with some explanation, which he had not yet done. It was no reason, because we had consented to the precedent of 1794, that we were to do so in 1817. As to the effect of renewals of the bill, it was pretty well explained by his hon. friend near him, that people got so callous, and the House became so indifferent, that the subject was discussed in empty benches. He did hope that the House would stop the progress of the bill on that ground; and on the ground, that it could not be useful for two months to come. He had not heard of any meeting for discussing the subject of parliamentary reform at which any disturbance had taken place. The riot at Spa-fields was not occasioned by the meeting itself, though it arose out of it. The people had not set themselves in defiance of that House, could it be said that any popular tumult had arisen respecting parliamentary reform? He had seen the people going up with petitions to the Prince Re-

gent to call the parliament together; but ministers had put off the parliament; and why? All they wanted was money. They gave the people no relief for their distresses; they scouted them; and then they brought forward their bill for the suspension of the Habeas Corpus act. What was the report of the committee? It was a history of what passed under the eyes of his majesty's ministers two or three months ago. Where was their vigilance to prevent the blowing up of the bridges, the taking of the bank and of the Tower? Why did they not call parliament together at that time, when they knew of the danger? If he mistook not, the right hon. gentleman opposite (Mr. Canning) was taking his pleasure in France; and the noble lord (Castlereagh) now his noble friend, was making speeches at convivial meetings in Ireland. Another noble lord (Sidmouth), it was true, was very vigilant; but how had the right hon. gentleman been induced to rely on him? He remembered the time when he did not treat his worthy colleagues, now his friends, with so much confidence; and thought that the whole of the cabinet were not adequate to the management of the public business. The right hon. gentleman, however, had since taken his place amongst them, and was now perfectly satisfied with those whom he formerly despised. The hon. and learned solicitor-general had misstated the periods of the suspension of the Habeas Corpus and the continuation of that act. The hon. and learned gentleman had made a great mistake; for he said, there was no law now in force which was not in force before. If he (lord F.) had not read the statute-book incorrectly, five years ago a strong act was passed for the punishment of unlawful societies, and unlawful oaths. That statute made an oath for murder, treason, &c. punishable by death; and compulsion was no excuse, unless declared within fourteen days. Why, then, had not this law been put in execution before they called upon the House to deprive the people of one of their most valuable liberties? He was not one who thought parliamentary reform a panacea for all the grievances of the people; but was that a reason why nothing should be done for the country? It appeared to him that this measure was most unwarrantable and most uncalled for, more especially as a matter of intimidation. As such, it was impossible that it could have a good

effect: on the contrary, for the last twenty-five years, we had in vain tried by compulsion to get rid of those feelings which were now said to agitate the minds of the people. He besought the House to tread in that path no longer, but to retrace their steps; to endeavour to conciliate the minds of the people; to listen to their petitions; to alleviate their distresses; to adopt every possible economy and retrenchment; and not to put the whole population of the country out of the pale of the law. This, and this only, could secure the affections of the people, and induce them to bear their burthens with fortitude and patience.

The *Lord Advocate* of Scotland said, that in all the preceding acts for the suspension of the Habeas Corpus, from the time of the Union of England with Scotland, a clause was introduced in the very same terms as was to be found in the present bill. In 1715, 1722, and 1745, the law officers who then sat in that House meant to put the people of Scotland out of the pale of the law as much as the people of England. The lord advocate then referred to the letter of Mr. M^r Arthur, reflecting upon an eminent lawyer in Scotland which was quoted by a noble lord opposite. Of the learned lawyer who was so maligned, he would say nothing; but refer to the character given of him by a dear friend, now no more (Mr. Horner). With that estimable friend he had often politically differed in his life-time; but now that he was unhappily no more, and the country for ever deprived of his invaluable services, he over looked all shades of political difference that had subsisted between them, and only retained the most affectionate recollection of him whom he so highly esteemed while living, and whose loss he now deplored when dead [Hear, hear!]. That hon. friend had said of the personage, whom Mr. M^r Arthur had attacked, that he had for eighteen years administered an important branch of the law in Scotland, with credit to himself and advantage to the public.

Sir S. Romilly rose merely to make one or two observations on what had fallen from the learned lord, from whom he had the misfortune to differ with respect to the acts which included Scotland. He had said, on a former night, that the clause in question was not to be found in the act of 1794: he had never said that it was not to be found in any of the preceding acts. It was certainly not to be

found in the act of 1745. This, however, was a matter of very slight importance: the question was not what was done in former times, but what was to be done now. He entreated the House to pause, and not to suffer any judge or magistrate to take any man into custody without the order of his majesty's privy council, signed by six privy counsellors. This clause only referred to such as had been committed under a warrant from the secretary of state.

Mr. *Ponsonby* observed, that the learned lord could have no objection to clearing up the difficulty, which did not prevail with regard to the Scotch acts of 1701 and 1744, against wrongous imprisonment. As the clause was at present worded, it would bear many constructions directly opposed to each other, which could not be decided upon after the passing of the bill but by a court of justice.

Sir *A. Piggott* also reprobated the obscurity and ambiguity with which the clause was framed. If this law was to be inflicted upon the people, they had at least a right to expect that it should be clear and precise. In order that the difficulty might be removed, he recommended that the bill should be recommitted.

The *Speaker* remarked, that in the present stage the bill could not be recommitted. Any amendment might be introduced after the third reading.

Sir *Arthur Piggott* said, that the report of the secret committee had his hearty and entire concurrence. He had listened attentively to the taunts and sneers which it had called forth; but the opinion he had originally formed was the more confirmed, the more he reflected on the nature of the evidence on which it was grounded. From this declaration he would not shrink as it was drawn from him by a sense of public duty; and he would further say, that in his opinion the government would have merited severe censure, if they had failed to make that communication to parliament which had led to the formation of the committee. The report was so far from exaggerating the dangers of the country that he was inclined to think it did not go so far as the evidence would have warranted the committee in going, and he therefore considered the strictures which had been made upon it to be wholly uncalled for by the occasion.

Some honourable members had objected to the report, because the evidence on

which it had been founded, had been kept back by the committee. That evidence he was of opinion had been properly withheld, and satisfactory grounds had, he thought, been shown to exist for the course which had been pursued; and, after all that had been said, it was to be remembered, that the House would be at all times competent to call for it, if its production should be thought necessary. When it was said the inquiry which had taken place was an *ex parte* proceeding, he considered the objection to be improperly urged. It was true, in conducting the investigation, they had not all the advantages, nor all the guards which were secured to proceedings in judicial matters; but if these could not be obtained, what remained for the committee but to go on with such powers as they had? It was known what these were, and with them it was their duty to work as well as they could. If the objections thus brought forward were good for any thing, they ought to have been urged against the appointment of the committee. They might furnish arguments against the formation of such a committee, but ought not to be opposed to the report which had been made. Whether a committee ought to be appointed on such an occasion, might be made a question; but he apprehended the House would always be inclined to decide in its favour. They could not give up this without giving up some of their most important rights. Were they prepared to do this?—Would they, for instance, be content to give up the right of impeachment, which could only be exercised in this way? It was true, such evidence might be given before a committee as could not be received in a court of justice, but he owed it to the secret committee to say, that all the members of it had most sedulously attended to their duty, and he had never seen any one of its members disposed to press evidence unfairly. Having this report, he thought the House ought to be satisfied to stand or fall by it. It had been the object of those who framed it to state to parliament, as well as they were able, what was the real situation of the country. Doing this they had performed their duty, and it would be for parliament to give to the public the evidence on which their report had been founded whenever this should be held to be wise or expedient.—With respect to the bills which had been brought in, substantially he approved of

most of them, as being well applied to the evils they were intended to cure. That which was against the administration of unlawful oaths, was in his opinion necessary, as it might be doubtful whether the law passed in 1795 applied to those proceedings which it had now become necessary to check. On others of the bills he thought there could be no serious difference of opinion. It was certainly necessary to renew the act making it felony to seduce soldiers and sailors from their duty, which had expired on the first of August 1816, as it might reasonably be supposed there were not wanting persons among those who entertained the most criminal designs, sufficiently intelligent to know that the law which had existed to punish such an offence was no more. Carrying into execution the provisions of this bill when it should be passed into a law, he doubted not, with the other measures which were not much opposed, ministers would be able to reach and to correct the evil which it was intended to meet. But besides proposing laws which were to cure the present evils, it was now proposed to deprive the people of the Habeas Corpus act. It was proposed to place no particular district in which disorders had occurred out of the protection of the law but it was intended to take from the population of Great Britain the protection of the Habeas Corpus act till the 1st of July. This he must object to; for this he could not but consider to be quite unnecessary, in the present situation of the country. Though such a measure had been resorted to in other times, he thought enough of the circumstances of the nation were known, to prove it was not at all wanted now. War we had none. Rebellion we had none; and what persons of property, he would ask, were engaged in the conspiracy which had been discovered? The answer to this question must be—"none at all." These things, then, constituted serious objection to the bill for the suspension of the Habeas Corpus act. At present we had no reason to believe that there were, any foreign agents in the country, hostile at once both to the constitution and the government. There was no foreign war—no rebellion—no insurrection;—and why, under these circumstances, should any one doubt that such a measure was quite unnecessary. If it had been necessary before the other bills were brought in, now at least it might be done without,

till the effect of the new laws had been tried. Among whom was it that this plot had originated? who were the parties to it? Were they not persons in the lowest walks of life—a set of miserable beings without property or influence to assist them in carrying their criminal designs into effect. The report distinctly stated, that "few, if any of the higher orders, or even of the middle classes of society, and scarcely any of the agricultural population had lent themselves to the more violent of the projects which had been formed." These words had been inserted that no mistaken idea should be taken up as to the quality of the persons who had been induced to countenance the plans of the disaffected.

An hon. gentleman who had spoken in the present debate (Mr. Lamb) had taken up a ground for defending the suspension of the Habeas Corpus act, which had surprised him. His hon. friend had defended the bill on the ground, that the country was at present in such a state that the operation of the existing laws was arrested, and it was found impracticable to carry them into execution. If such were, indeed, the state of the country, a fact so important ought to be established on evidence very different from that which had been afforded to the committee of secrecy; and on which their report was founded. Where, he wished to know, was the state of the country such that the laws could not be carried into execution? Before the House proceeded to decide that such was our present situation, other means ought to be taken for ascertaining the fact, than had yet been made use of. This ought not to be assumed till stronger proof was before them than any that had yet been furnished in support of the allegation of his hon. friend. How, he could wish to know, had the hon. gentleman been satisfied that the situation of the country was such as he had described it to be; had he discovered this from the evidence given to the committee. If so, he would ask, how had it happened that it escaped the observation of all the other members of it? If the country were really in such a state, that the laws could not be executed, our situation was indeed alarming. God forbid that this country should be found to be in such a state! Ere a statement like that which had been advanced should prove to be well founded; he hoped his eyes would be closed for ever; that he might not be reproached with having done any thing

that could have a tendency to place the country in such a situation, he would not vote for a measure that was attempted to be justified on the presumption that the laws already in force could not be carried into effect. Had it appeared to the committee that such was the awful fact, they could not have closed their report without mentioning it consistently with their duty to their sovereign, and their country. On reflection he could discover nothing in the conduct of the committee, that appeared to him to be a matter of regret. He, however, could not have felt thus, had the statement of his hon. friend been well formed. Had the situation of the country been any thing like what he had supposed it to be, to him (sir A. Piggott) it would unquestionably have seemed necessary to say something more than they had said, for what had they concluded with? Why, the termination of the report ran thus:

“On a review of the whole it is a great satisfaction to your committee to observe, that notwithstanding, the alarming progress which has been made in the system of extending dissatisfaction and secret societies; its success has been confined to the principal manufacturing districts, where the distress is more prevalent, and numbers more easily collected, and that even in many of these districts privations have been borne with exemplary patience and resignation, and the attempts of the disaffected have been disappointed; that few, if any of the higher orders, or even of the middle class of society, and scarcely any of the agricultural population have lent themselves to the more violent of these projects. Great allowance must be made for those who, under the pressure of urgent distress, have been led to listen to plausible and confident demagogues in the expectation of immediate relief. It is to be hoped that many of those who have engaged to a certain extent in the projects of the disaffected, but in whom the principles of moral and religious duty have not been extinguished, or perverted by the most profane and miserable sophistry would withdraw themselves before those projects were pushed to actual insurrection.”

He appealed to the House if the state of the country here described, was one in which the law could not be carried into execution. Who, he wished to know, were at present charged with the administration of justice? Was it not confided to the judges, magistrates, and juries of the

country? Did not persons taken from the agricultural classes, and middling ranks in society, form those juries? The great body of the disaffected consisted of poor people, who had been worked upon by artful emissaries sent among them for that purpose. But for these ought the whole nation to be punished? What was to become of Middlesex, Surrey, Sussex, and other counties? Were all these to be put out of the law, because some disturbances had occurred in various parts of the country? He should have been better satisfied had such a course been taken with the disturbed districts. An act that was to take from the whole people of England the benefit of the Habeas Corpus act, he held to be quite uncalled for by the occasion. He did not say such a measure was likely to be abused by those now in power. He had no wish to suppose this was at all likely; but it was sufficient for his argument, that powers like those called for, might be abused. He by no means wished to treat this as a mere party question. He did not object to the arming of any particular government with such an act; to no set of ministers would he willingly give such a law. The question now before the House was this, did any case exist at present in which the present or any administration ought to call upon parliament to grant powers like those which had been demanded? He was decidedly of opinion no such case had been made out. What would ministers do with the act when they had got it? Would they take up under it those miserable persons of whom he had had occasion to speak? Was that the use to which they would put the Habeas Corpus suspension act? If it were not thus to be used, where he would ask was there one man of property, influence, or importance, that they intended to commit to the Tower. None such could be pointed out: and for other offenders, they might be punished without this law, and speedily too; for did not the assizes begin in march? Would any man pronounce the bold libel, that the attorney-general would not proceed against such persons under the present law; that the judges did not intend to go the circuit, and that justice could not be administered; as all the juries of the country were tainted with disaffection? Surely his hon. friend would not say such were his sentiments. Why then was the power of taking up a suspected person and detaining him till the 1st of July to be given. The hon. gentleman would not wish to take up persons

without having evidence against them; and having evidence, what was the use of this act?

Hitherto the Habeas Corpus act had only been suspended when the country was engaged in a foreign war, when there was a rebellion at home, or a pretender to the Crown. When such a measure was resorted to, we had always before been at war with some foreign power bent on the destruction of the government and constitution of this country. None of the circumstances to which he had just adverted, could now be urged in defence of the Habeas Corpus suspension bill, and was it at a time when unexampled distress pervaded every part of the country, that such a law ought to be passed, if it were not proved to be demanded by stern necessity? At such a period every one, from the highest to the lowest, ought, if possible, to be left in the full enjoyment of his constitutional rights. He would repeat it was his earnest wish, that the bill might not, as it was his conscientious opinion such a measure ought not, to pass into a law. For the honour of parliament, he hoped other means would be found for averting the danger. The more vigorous the measures were which were now actually required to check the evil, the more important was it that the great body of the people should feel their rights and liberties had not been invaded by parliament: that the constitution of which they were so justly proud, remained unshaken.

The *Attorney-General* having been many hours engaged in the discharge of his public duty, in which it might be satisfactory for the House to hear, as it was for him to say it, he had been the humble instrument of procuring the first conviction for an infraction of the law against the slave trade, having been already occupied sixteen hours in the service of the public, he was sure the House would readily believe when he had stated this, that nothing but a sense of the importance of the present question could induce him to rise, and that having risen, it would be his object to trespass on their time as shortly as possible. If on a former night he had abstained from offering his opinions, it was because at that time but a part of that subject was under discussion, the whole of which was now before the House. He begged to say that among the gentlemen opposed to the measure now under consideration, there could not be one who felt more veneration for the constitution of England than himself, nor

one more sensible of the importance of the Habeas Corpus act to that constitution. But when gentlemen went so far as to say that at no time, and under no circumstances of danger would they confide to any ministers those powers now called for under the law which it was proposed they should pass, he could not but feel surprised at hearing such language. Our ancestors, jealous as they were of the constitutional rights of the people, did not feel thus. They did not refuse to suspend the Habeas Corpus act in times of extraordinary peril. Though not less anxious to preserve the liberties of the country than the hon. gentleman opposite, they had consented, if his memory failed him not, to the suspension of the Habeas Corpus act, not fewer than nine times. If a doubt were entertained whether the Habeas Corpus act ought under any circumstances to be suspended, he thought a reference to the cases he had alluded to would put an end to it; and the question which it remained for the House to decide upon was this, whether such a course would now be justifiable—whether the government ought to be entrusted at a time like the present with the power of imprisoning suspected persons for a certain limited time without bringing them to trial? This was the question; and in his opinion, such was the awful state of things at present, that the House was imperiously called upon to grant the powers required. A more awful case had never occurred to demand the application of such a measure. He was relieved from the necessity of going over those topics at length which were started in the early part of the debate by the sort of manner in which some gentlemen had been pleased to treat the dangers of the present day. He understood, that they professed to regard the whole of that plot which had been alleged to exist as a contrivance on the part of the government. They had maintained, that if there were any conspiracy—if there were any plot—if there were any combination, it was all the doing of ministers. He begged that it might be recollected, that if the conspiracy was a trick—a mere humbug—as it had been called on the part of government; in order to give effect to it, they had had the address to deprive honorable, intelligent, and acute gentlemen who were opposed to them in politics of their intellects; and to make them the dupes of the humbug plot and conspiracy, which they were supposed to have formed. This extravagant idea had been already so ably refuted, that

nothing remained for him but to admire the ability with which it had been put down. He saw in his place a right hon. gentleman (Mr. Ponsonby), whom he always heard with great satisfaction, though he had frequently the misfortune to differ from him, who had been a member of the committee, and who had come out of it with his powers and understanding unimpaired. That right hon. gentleman had gone into the committee with a mind open to conviction, but not more likely to be imposed upon than that of any other member of that House; and certainly he had entered the committee with a mind not unfairly disposed to second the views of ministers. He (the attorney-general) had seen the right hon. gentleman regularly attending in the committee day after day, giving the matters before it all the attention that was due to their great importance, and the result was, he had come out of it a party to the report; on which, indeed, there had been no difference of opinion in the committee, but on the mere wording of some parts of it, and respecting which there had been but one feeling arising from a wish to keep it down as much as possible, that unnecessary alarm should not be excited. Had any thing been wanting to satisfy the House and the country that such was the course pursued, abundant proof had been afforded in the recent debates. Had the committee been among those who wished to create a sensation in the nation not warranted by the occasion, that infamous, dangerous and blasphemous oath, which a learned lord (the lord advocate of Scotland) had produced to the House, would certainly have formed a part of the report; for what could be better calculated to produce feelings of alarm than the publication of such a document? An hon. member had asked of the learned lord, why he had communicated that oath to the House, seeing the committee had not thought it right to include it in their report? He believed that hon. member had been satisfied with the explanation given in answer to his question. He (the attorney-general) however wished it to be known (for this would go a great way towards showing what were the feelings of the committee), that originally it had made a part of the report and had only been prevented from coming in that shape before the House, by the House not happening to sit on the day when the report was to have been brought up. It occurred to the committee in the interval which followed be-

fore the House next met, that if the oath were thus made public, these consequences must in all probability have followed: some of the individuals whose testimony was necessary to prove the delinquency of the parties now in custody, would have lost their lives; and those persons who had been secured at Glasgow, would not have been arrested: for when they had seen that government were in possession of information which could only be obtained from certain quarters, they would have withdrawn themselves from the danger of apprehension and most likely have sacrificed the informers [Cries of No, no! and coughing].

He was never more ready in his life to take a hint to sit down, as he was most painfully to himself discharging what he conceived to be a public duty. But there were some further remarks which he felt himself called upon to offer before he could resume his seat; if any thing could, in his opinion, add to the value which the report derived from the unanimity of the committee, it was, the admission of the hon. gentlemen opposed to it, that they held the country to be in great and imminent danger. If then it was agreed, that the country was in danger, was it to be contended that the ordinary laws were sufficient, and that the government could do without new ones? In common times, the ordinary laws against high treason were deemed to be sufficient. Now it was admitted that a new law was necessary for the protection of the person of the Prince Regent, not against acts that could only be comprehended by laws framed to punish constructive treason; not against secret plots to levy war against his government,—but against direct attempts at assassination [Cries of No, no!] He would ask if there was not such a bill on the table. [Here the learned gentleman read the title of the bill for the extension of the provisions of the law, for the protection of the king's person to the Prince Regent]. It was agreed that such a bill was necessary; and was it in ordinary times that such an admission would be made? Were such the characteristics of the people of this country, that acts like those which this law was intended to meet, were necessary thus to be guarded against when men's minds were not disturbed by agitators who sought to destroy every thing that was valuable in the morals; the government, and the constitution of the nation. It was thought necessary to revive a law

which had expired in August 1816, to prevent soldiers and sailors from being seduced from their duty. And why was this thought to be necessary?—because those soldiers and sailors who might be induced to unite with the disaffected, had it in their power to carry to them a most important addition of physical strength. The House considering this had entertained a bill for making that felony, against which there had been no such law since August 1816? Were these he would ask, ordinary times, when it was universally acknowledged to be necessary, that laws should be enacted to suppress seditious meetings; to prevent the defenders of their country from being seduced from their duty, and to guard against attempts upon the life of the Prince Regent?

Some gentlemen had spoken of the bill now before the House, as if it went to subject any person taken up to be imprisoned at pleasure for any period, not exceeding the first of July. If they looked at the provisions of the bill they would find this was not the fact:—they would find that all persons detained, unless such representations were made of their being engaged in treasonable practices, as should obtain credit with six privy counsellors, or with one of his majesty's principal secretaries of state, would not be exposed to the operation of the act, and might claim to be brought to trial or discharged. Such was the character of that law which some gentlemen went so far as to say, ought at no time and in no case to be granted to any government [Cries of "No," "No!"]. He thought it would not be denied that such language had been used [Cries of No, no! repeated]. Since it was thus denied, he must suppose that he was mistaken: but he was sure he had understood this to have been stated in some of their debates.

He would drop this then, and appeal to the House if it were not proper now, when danger was confessed to be at the door, to suspend that law which in times of peril had been suspended by our ancestors, as he had already stated, not fewer than nine times? Ought he to be told when he recommended the measure now before the House to their adoption, that if he were to be locked up for a fortnight, and taught to know from his own feelings what imprisonment was, it was probable he would take a different view of the subject? There needed not such practical lessons on the subject, to teach him or those

with whom he acted, that imprisonment was at all times painful, and that he must be a bad man, who would wilfully and without just cause, confine any fellow-creature even for a single hour. But, for the purposes of justice imprisonment was sometimes absolutely necessary, and he wished it to be observed how far the measure now proposed went beyond the law as it was enforced in ordinary times. It went to detain a suspected person without bringing him immediately to trial. This was certainly an evil, but it was one that could not always be avoided in ordinary cases. When a person was charged with felony or murder, he was detained to take his deliverance at the next sessions; but it often happened that from a witness being out of the way, or from some other circumstance, the trial was put off, and the accused kept in custody, as long as those persons could be detained, who might be taken up under this bill. The law of treason as a safeguard for the subject, interposed various delays, which in other cases did not occur; it required two witnesses to an overt act; it also required the prosecutor to collect the names of all his witnesses, and to furnish the prisoner with a list of them a certain number of days before the trial. These were wise and proper regulations; he had nothing to say against them, but the observance of them usually interposed more delay in such cases than in any other. He did not say that this depended upon this or that government; he did not say that one administration differed from another in its conduct on such occasions; but he had a right to assume, that the present ministers were as anxious to avoid committing an act of injustice as any other set of men could be. He did not claim for the present law officers of the Crown greater credit for a desire to act fairly by the king's subjects, than was due to those who had preceded them. It was enough for them if they could successfully tread in the steps of those who had gone before them: correctly to follow the bright examples which had been set them, was the utmost to which their ambition could aspire.

For the act now under the consideration of the House, all that it went to do was, to detain suspected persons in safe custody for a limited time, whom it might not be convenient to bring to trial. But it had been supposed that after the arrests that had taken place at Glasgow, nothing more could be necessary. "Why," it had

been said in some of the speeches made, not in the debates, but on the petitions which had been presented,—(what passed on the subject of these petitions was some times forgotten when gentlemen were speaking of what had, or had not occurred in the discussions of that House) “why,” it had been said, “what more can be wanting, since the lord advocate has already got all his traitors? How, he could wish to inquire, was it known that the lord advocate had got all his traitors? Were those who spoke thus, sure, that at this moment the lord advocate, though he had had the good fortune to secure those persons in their conclave who had been arrested;—were they quite certain that no arch traitor had escaped, who, if these persons were forthwith brought to trial, might learn from the evidence given against them, what information government had that would affect him, and take his measures accordingly? He knew from what had passed at Glasgow, that it might be necessary to delay for a season the proceedings against the persons there arrested. He was however satisfied, that if inquiry were made, it would be found that he had not been the least anxious of the twenty-one persons who had formed the committee of secrecy, to guard against one word being suffered to escape, that might operate to the prejudice of those persons before they were put on their trial. In the particular cases of those individuals who were confined in London, he did not think it would be found necessary to interpose any long or indeed any unusual delay, before bringing them to trial. He begged to add with respect to those arrested at Glasgow, his most solemn pledge that not a single half hour should unnecessarily intervene between them and their deliverance.

He had now to address the House on another subject, on which he had had no opportunity of speaking before. It had been said, at least he thought it had been said, by some hon. gentleman, that the law officers of the Crown were afraid to do their duty. This charge had been already treated with proper scorn and disdain; he should only answer it by saying there were circumstances frequently attending the discharge of his official duties, which made him afraid. He feared lest he might not take that course which in particular cases might turn out to be the best that could be taken;—he feared lest he should prove unable to do his duty as
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he ought; but he knew no other fears while acting in his official capacity. In proceeding against seditious societies, there were certain forms to be observed, before the law officers of the Crown could act. They could not carry a case into court without evidence. He never acted but on such evidence as a grand jury would receive, given on oath. He would file no information on a whisper,—a conjecture,—a suspicion: till the facts charged seemed to be made out by evidence, he dared not to proceed against any of his majesty's subjects. That he had been unable to proceed against such societies, proved the necessity of making some alteration in the law, as the plans of the disaffected had been varied to evade the law as it stood at present. Their proceedings were no longer the same as formerly. They no longer openly appeared to stand in their relations with each other, as parents and affiliated societies. A more dangerous character now belonged to them, and their connexion was not easily to be proved, being sustained by means of delegates and missionaries. To meet the evil it was necessary that new laws should be resorted to. These tried for a time, should they prove ineffectual it might become necessary again to have recourse to new ones.

He had now to notice the complaints made that other prosecutions of a different nature had not taken place. He could not be surprised that gentlemen should view with abhorrence and disgust the publications which for some weeks past had been industriously circulated in every part of the country, and which were unquestionably of a tendency that must prove most destructive to the best interests of the country. Nothing had pressed more on the anxious attention of the government than these publications, and nothing could have been more zealously pursued than they had been by the humble instruments for punishing such offences, the law officers of the crown. It had been said, that he had not prosecuted these tracts, because they were so numerous. Ultimately it would be found it was not their numbers that could prevent him from proceeding against them. He had then in his pocket a most shocking and blasphemous parody on the Creed, which he had that day received in a letter from a gentleman at Norwich [Cries of Read, read!] He owed to the dignity of that House to resist the call made upon him to read so infamous a production from whatever quarter such call
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might come; and he would assure the House, that when it became his duty to expose it in a court of justice, it should be read but once (and then only for the purpose of comparing it with the record), that he might not be the means of publishing it more than was absolutely necessary in order to punish those who had sent it forth to the world. If, however, any hon. member wished to read it, he would leave it sealed on the table of that House, that he might indulge his curiosity. Though the publications which had lately issued from the press might be sufficiently numerous to fill Westminster-hall, he had to observe, that many of them were but the growth of a few weeks. Many, he begged to add, were already in a course of prosecution, and many more should be proceeded against with the least possible delay. No time had been negligently lost, for it would have been impossible for him to have brought one case to judgment up to that moment.

This stated, he would ask, could he have prevented, or ought he to be blamed for any of the events which had recently occurred? No efforts that it was in his power to make, could have prevented the meetings in Spa-fields, or the transactions connected with them. All that he could be required to do, had been done. Those cases in which he thought it right to prosecute were as forward as they could have been in the time for trial; and when he had performed his duty, he doubted not the juries of the country would do theirs, as well in cases of sedition as in those of blasphemy. Much ridicule had been thrown on the preparations which had been made for an insurrection in the city. While speaking on this subject, he was most anxious to abstain from saying any thing that could in the remotest degree prejudice the cases of those persons now in custody, who had not yet been brought to trial, but he thought he might be allowed to contend (though he should say nothing of the report of the committee), that the state into which the country was thrown on the occasion of the Spa-fields meeting was that which, consistently with public security, could not be permitted frequently to occur. If meetings of a tumultuary nature continued to take place,—if on such occasions it was necessary to call out extra constables under the superintendence of the police,—and to have the military in readiness to put down any effort at rebellion; this was surely a state of things

which ought not to be suffered to exist, and which demanded new laws to prevent its continuance. But it had been said, what was to be apprehended from a set of wretched conspirators with one waggon in their train, and but an old stocking-full of ammunition? How, it had been asked, were such persons to possess themselves of the Tower of London, and how blow up the Waterloo bridge, unprovided as they were with arms and combustibles and unaccompanied by sappers and miners? Who had pretended that these things could really be done by the persons who had attended the Spa-fields meeting? Nobody, that he was at all aware. He, however, wished it to be recollected, that some of the party had been found with ammunition sufficient to arm the leaders in the riot. Loaded pistols and other arms were prepared for the commencement of the enterprise, and orders had been given that on leaving Spa-fields, the conspirators should proceed by physical strength to possess themselves of greater means for the accomplishment of their designs, by breaking into gunsmiths shops, warehouses, and pawn-brokers shops, where they had reason to suppose arms had been deposited. From these places they had hoped to procure such a supply as would suffice to arm the multitude, and enable them to go on with the work of rebellion. It was true, he did not think they had ever had any chance of accomplishing their design. Nobody but themselves believed that by such means this mighty empire could be overturned. He should be unfit for the office he had the honour to hold, and indeed unfit for every thing, could he believe that such an attempt was likely to succeed. But was there nothing short of the complete success of such a conspiracy, against which it was the duty of parliament to guard? What mischief might not have occurred had not rashness precipitated that attempt at noon, which it was intended to make later in the day of the 2nd of December? What might not have been the consequences had the attack been deferred till it was dark, and then made when the good citizens of London were retiring to rest from the fatigues of the day? It could not be denied that in such a case much mischief, much bloodshed might have ensued, and it was not easy to define the extent of the calamity which the country might have had to mourn.

With these feelings, and for the reasons

he had assigned, he should vote for the passing of this bill. When the law should be passed, he was satisfied that no honest man would be more afraid of being forced out of his bed in consequence of the suspension of the Habeas Corpus act, than he was of being so dealt with, under the present laws. The bill would only inspire fear in those who entertained traitorous designs: on these he trusted it would be beneficially operative, and tend effectually to put down the spirit of disaffection.

Lord George Cavendish began by saying, that though he felt the utmost abhorrence at the attack made upon the Prince Regent, yet he did not believe that the outrage, audacious as it was, had murder for its object. The learned gentleman had adverted to what had fallen from some gentleman of the committee: he himself had not been on that committee: but he knew that much misinformation had been transmitted to it. The intentions of the persons who sent it were, doubtless, good: but their intelligence was not correct. From what he knew of one district, he thought he might say generally, that the committee had not had before it a true picture of the country. For his own part, he must complain of that committee. He knew of no reason why the county of Derby had been singled out for reprobation; he knew that what was said of that county was not the fact. There had, indeed, been a Hampden Club in Derby; but its members were very few. It was true, also, that a great many persons in Derby and its vicinity had petitioned for reform in parliament; but they were most of them men of respectability. He must say, therefore, that he thought Derby wrongly accused; and he thought the same was probably the case with Staffordshire and Cheshire. He thought the magistrates of Derby, from the specimens he had seen of their activity and vigour, were quite competent to maintain the peace of the county. He had himself seen an instance, where a gang of Luddites, who had committed all sorts of depredations, had been speedily brought to justice, and the county had been tranquil ever since. What these magistrates had done before, they would do again; and certain he was, as far as related to that county, there was no reason for suspending the Habeas Corpus act.

Mr. Bankes said, that the bill was opposed by some gentlemen on the ground that no danger existed: and others who

objected to it contended, that though there was a disposition to excite disturbances in the country, yet this was not the remedy which ought to be applied. From these gentlemen he differed, and was decidedly of opinion, that without such a law as was now proposed, the country would not be safe. He should vote for it, considering it to be one that would be likely to prevent much confusion, and save the lives of many individuals.

The House divided:

For the third reading 265

Against it 103

Majority—162

List of the Minority.

Abercrombie, hon. J.	Lyttelton, hon. W.
Anson, hon. sir G.	Marryat, Jos.
Atherley, Arthur	Mathuen, Paul
Aubrey, sir John	Macdonald, James
Baillie, James E.	Mackintosh, sir J.
Baring, Alex.	Madocks, W. A.
Brand, hon. T.	Maitland, hon. A.
Brougham, H.	Martin, John
Burdett, sir F.	Molyneux, H. H.
Burrell, hon. P. D.	Monck, sir C.
Browne, D.	Moore, Peter
Calcraft, John	Moseley, sir O.
Calley, Thomas	Newman, R. W.
Calvert, C.	Neville, hon. R.
Calvert, Nic.	North, Dudley
Carew, R. S.	Nugent, lord
Carter, John	Ord, Wm.
Cavendish, Lord G.	Ossulston, lord
Chaloner, Robert	Osborne, lord F.
Cochrane, lord	Peirse, H.
Coke, Thos. W.	Pelham, hon. C. A.
Duncannon, visc.	Pelham, hon. G. A.
Dundas, hon. L.	Philips, George
Dundas, Charles	Piggott, sir A.
Ebrington, visc.	Ponsonby, rt. hon. G.
Fazakerley, J. N.	Power, Richard
Fergusson, sir R. C.	Prittie, hon. F. A.
Fitzgerald, lord W.	Portman, E. B.
Fitzgerald, rt. hon. M.	Preston, R.
Fitzroy, lord John	Pym, Francis
Folkestone, visc.	Ramsden, J. C.
Fellowes, hon. N.	Randliffe, lord
Gaskell, Ben.	Ridley, sir M. W.
Grosvenor, gen. T.	Romilly, sir S.
Gordon, Robt.	Rowley, sir W.
Guise, sir Wm.	Russell, lord Wm.
Hamilton, lord A.	Russell, lord G. W.
Heathcote, sir G.	Russell, lord John
Heron, sir Robt.	Russell, R. G.
Hughes, W. L.	Scudamore, R.
Hornby, Ed.	Sefton, earl of
Hurst, Robt.	Smith, John
Jervoise, G. P.	Smith, Robt.
Lambton, J. G.	Smyth, J. H.
Langton, W. Gore	Stanley, lord
Latouche, Robt. junr	Spiers, Arch.
Lemon, sir W.	Shaw, sir James
Lloyd, James M.	Tavistock, marquess

Taylor, C. W.
Taylor, C. V.
Tierney, rt. hon. G.
Vaughan, hon. J.
Walpole, hon. G.
Waldegrave, hon. W.
Wilkins, Walter

TELLERS.

Bennet, hon. H. G.
Smith, Wm.

PAIRED OFF.

Althorp, visc.
Birch, Joseph
Cavendish, hon. H.

Cavendish, hon. C.
Curwen, J. C.
Foley, Thos.
Markham, adm.
Martin, A.
Newport, sir John
Ponsonby, hon. F. C.
Powlett, hon. W. V.
Sharp, Richard
Townshend, lord J.
Webb, E.
Weston, C. C.
Wharton, John

After the bill had been read a third time, sir Francis Burdett proposed the following clause:—"And be it further enacted, that no person detained under this act shall be shut up in any dungeon, or any damp unwholesome place, but shall have all the means of receiving air, warmth and exercise, that are necessary to the preservation of life and health; nor shall any person detained under this act be loaded with irons, or be deprived of the means of petitioning the King, or either House of Parliament, or shall be refused to see his wife or children, upon application made by him or them for that purpose; to the keeper of the prison, or to the secretary of state, for the home department."—Which was negatived without a division.

Mr. William Smith moved also a clause securing the right of action against the persons who should issue warrants of commitment under the act, if the persons committed should be dismissed without trial, provided the action were brought within a month after the expiration of the act; which was also negatived without a division.

Mr. Ponsonby proposed a clause fixing the 20th of May for the expiration of the bill, instead of the 1st of July, on which the House divided—for the clause, 97—against it, 239.

While strangers were excluded from the gallery an amendment was, upon the motion of sir Samuel Romilly, made in the bill, the effect of which is to limit the operation of the bill in Scotland as well as in England to persons committed to prison for treason, or suspicion of treason, upon a warrant signed by six privy counsellors, or one of the principle secretaries of state. As the bill stood originally, it extended to persons committed by any subordinate magistrate. The bill, as it now stands, is in these words:—"That the act made in Scotland, intituled, 'An

act for preventing wrongous imprisonment, and against undue delays in trials,' in so far as the same may be construed to relate to the cases of treason and suspicion of treason, *with respect to persons so committed as aforesaid*, be suspended until the 1st day of July, 1817; and that until the 1st day of July 1817, no judge, justice of peace, or other officer of the law, in Scotland, shall liberate, try, or admit to bail, any person or persons, that is, are or shall be in prison, within Scotland, *under a warrant or warrants so signed as aforesaid*, for such causes as aforesaid, without order from his majesty's privy council, signed by six of the said privy council." The words printed in italics were added by amendment.

A short conversation took place on the clause of the bill which authorizes the removal of prisoners from one gaol to another, and the expunging of which had been moved.

The *Solicitor-General* contended, that it was necessary that the power of removal should be given, as cases might occur in which, from the number of the prisoners, or from their combining together, it would be very inconvenient to retain them together in one gaol. In such cases it might be proper to remove prisoners from Gloucester to Hereford, or *vice versa*; but care was taken that they should suffer no disadvantage by these removals; for, if brought to trial, it was provided that the proceedings should take place in the county in which they were originally committed.

Mr. Ponsonby could not understand why a man taken up for treasonable practices in the county of Hereford should be imprisoned in Gloucester. Were not the gaols in the county sufficient, or were they destitute of keepers. If there were no gaols in a particular county, or no persons to guard them, he could comprehend why a prisoner should be sent to another county; but unless some such reason as that he had stated existed, the removal was a measure of unnecessary cruelty.

Mr. Bennet stated, that cases of great hardship had occurred under the former suspensions of the Habeas Corpus act, in consequence of imprisoning persons in distant gaols.

The clause was ordered to stand part of the bill. On the motion, that the bill do pass,

Mr. Brougham wished the House to understand, that a right hon. gentleman

had pledged himself, that unless this subject was brought before the House in the month of May, no proposition would be made for a renewal of the bill [No! from Mr. Bathurst]. The right hon. gentleman had said "many weeks before the expiration;" now many weeks before the 1st of July, must mean in the month of May. If one week more had been allowed, from the petitions which would have flowed in from all parts of the country, and from the disposition of the House, he was convinced the bill could not have passed.

Mr. *Canning* said, the present bill had been longer in passing than any former bill of the same description.

Mr. *Bathurst* disclaimed having said any thing of the month of May. He had said, that as the bill would expire in the month of July, the subject would probably come before the House some time before, if the renewal were to be proposed.

Lord *Stanley* said, he had heard the right hon. gentleman expressly use the words "many weeks."

Mr. *Bathurst* denied, if he had used these words, that they were to be considered as any pledge; he had only stated it as a probable circumstance, that the subject might be many weeks, before the 1st of July, under the consideration of the House, if a renewal were to be contemplated.

Mr. *Brougham* said the House must recollect that they went to a division on the statement of the right hon. gentleman.

Mr. *Calvert* protested against the indiscreet haste in which the bill was hurried through, and which had deprived his constituents, who were to have a meeting on the subject of the bill on Monday next, of any opportunity of expressing their sentiments.

Sir *C. Monck*, wished to observe, that if this bill had been a longer time passing through the House, it would have been opposed by three times as many members as ever divided against any former bill.

The bill was then passed, after which the House adjourned at half past two o'clock.

HOUSE OF LORDS.

Monday, March 3.

HABEAS CORPUS SUSPENSION BILL.]
Lord *Holland*, previous to proceeding to the order of the day respecting the Habeas Corpus Suspension bill, it appearing

that the Commons had taken the liberty of making an amendment in it, though their lordships were not allowed time to discuss or to consider it, was desirous of asking a question intimately connected with the extraordinary powers proposed to be given to the government by this bill, by which the liberties of the country were to be placed at the disposal of the ministers of the Crown. He wished to be informed by the learned lord on the Wool-sack, whether an individual, unfortunately detained in any prison by order of government, under the power given by this bill, would have the means allowed him of petitioning parliament; or, if that should be thought to involve too much publicity, at least of petitioning the sovereign. He was the more desirous of being informed upon this point, because, knowing the kind of regulations that were enforced in some prisons, it was of essential importance that an individual, placed in the situation he had alluded to, should not be debarred from the free exercise of the right of making an application to the government respecting the circumstances of his case.

The Lord Chancellor said, he was called upon to give an opinion without the particular circumstances of any particular case being stated; but he felt anxious, when thus called upon, to give an opinion, as far as he could, regarding any question relating to the liberty of the subject; and he had no hesitation in stating generally, that he was not aware of the existence of any individual who had not the right of petitioning either the sovereign or the parliament.

Lord *Holland* observed, that knowing the manner in which some prisons were conducted, he was anxious that it should be distinctly understood, that no gaoler could prevent the exercise of the right of petitioning on the part of any individual who might be unfortunately placed in his custody by order of government, and detained under the extraordinary powers given by this bill.

The Lord Chancellor said, that every individual arrested on suspicion of treason, by order of government, and detained under the provisions of this bill, had in his favour the presumption of law, which always supposed every person under accusation to be innocent until proved to be guilty; and as far as he could answer a general question, every individual in that situation had the right of

petitioning either the sovereign or the parliament, a right which the gaoler, in whose custody he was, had no right to deprive him of.

Earl Grey said, the answers given by the learned lord were perfectly satisfactory to him, as to the general question. There was, however, this consideration, that a barren right was nothing without the means of exercising it. In some prisons, individuals might be confined without pen, ink, or paper being allowed to them, or the means of communicating with any person. Under ordinary circumstances this might not be of so much consequence, as they knew the time would arrive when they should have an opportunity of appearing in the face of their country; but under the provisions of this bill they could have no such knowledge, they could not anticipate how long they might be detained. It was therefore of the greatest importance that no individual in this situation should be deprived of his right of petitioning; and he concluded that the learned lord, from the way in which he had answered the question, meant also this, that a gaoler having an individual under such circumstances in his custody, would be acting illegally, if by any means he prevented that individual from communicating with other persons, or from other means connected with the exercising of his right of petitioning.

The Lord Chancellor said, he was perfectly ready to agree in the explanation which the noble earl had made for him, with these qualifications, that the individual should have every facility allowed him, consistently with his safe custody, and that he should *bona fide* be desirous of petitioning, and not assert the privilege as a mere colourable pretext with a view to other objects.

Lord Sidmouth moved the order of the day for taking into consideration the amendment made by the Commons in the Habeas Corpus suspension bill.

The Earl of Darnley could not let this opportunity pass without entering his decided protest against the measure, which he conceived to be uncalled for by any circumstances connected with the situation of the country. He could not help observing also upon the extreme rapidity with which that House had been induced to pass this bill, whilst the Commons had taken a much longer time to deliberate upon it, without, as it should appear, any apprehension of danger from delay, though

the danger had been so loudly talked of in that House, in order to induce their lordships to suspend their standing orders, and pass the bill with extraordinary rapidity. He had, upon a former occasion, given his consent to a similar bill; but how widely different were the circumstances! At that period the country was at war with a highly powerful enemy; now not only no reason of that kind existed, but there was nothing in the report of the secret committee that called for the adoption of a measure to suspend the liberty of the subject. Some of the allegations in that report had been offered to be disproved by evidence at their lordships bar, which the House had refused to receive, although in one instance it was acknowledged the committee had been in error. What faith, then, could they put in such allegations? It was undoubtedly true that much distress existed in the country arising from the want of employment, to which was added the distress arising from a bad harvest, and there was no doubt that mischievous persons might endeavour to take advantage of these circumstances; but for this situation of the country the present bill was not only not a remedy, but would materially tend to add to the discontent. With regard to the amendment, he had no objection to it, but with a view to the general question upon the bill, which he considered wholly unnecessary and uncalled for, he felt it his duty to move, that instead of now, the amendment be taken into consideration this day three months.

The Earl of Liverpool, as the amendment was not objected to, did not think it necessary to say more than a few words. With regard to the objection that this bill was passed through the House with unprecedented haste, he assured their lordships that in point of fact it was not so; as on former occasions within his own recollection a similar bill had passed through all its stages in that House in one day, whilst on the present occasion two days had been occupied in the consideration of the measure. With respect to the necessity for the bill, he could most positively affirm that on no former occasion when he or when the noble lord who had just spoken had voted for a similar measure, was there a greater necessity for it than at the present moment.

Earl Grosvenor contended, that more time ought to have been given for the pe-

titions of the people, he being satisfied that had a longer delay been allowed, there would have been petitions from all quarters against the bill. He would only instance the case of the ancient and very loyal city of Chester, where a requisition signed by one hundred persons of the greatest respectability was presented to the mayor, who in consequence called a meeting in the Town Hall, where a petition against the bill was agreed to, which in the course of a few hours was signed by upwards of 2,000 persons of great respectability. This served to show what numerous signed petitions there would have been against the bill had a little more time been allowed.

The Bishop of *Chester* thought it right to state, that though the petition alluded to by the noble earl was respectably signed, yet that the persons who signed it did not constitute the major part of the most respectable inhabitants of that city.

Earl *Grosvenor*, in explanation, said, he had only asserted that the petition was most respectably signed, he did not mean to state that there were not other highly respectable inhabitants of the city who had not signed it.

The Earl of *Rosslyn* observed, that in consequence of the unnecessary rapidity with which that House had been called upon to pass the bill, they had had no opportunity allowed them of considering that part of it which related to Scotland, and in which a most important amendment had been made by the Commons. What was to be thought of those who had urged on the House to that rapid course of proceeding, which had not left them time to discover or to rectify a most material error in the bill, though the Commons had been allowed a sufficient opportunity to consider the measure in all its bearings. He alluded to the difference which was made in the bill, as it passed that House, between the people of England and the people of Scotland. In England no individual could be detained under the provisions of this bill, unless arrested by a warrant signed by a secretary of state, or six privy counsellors on their responsibility; whilst in Scotland individuals might be arrested by any inferior magistrate, without responsibility, and could not be released or put upon their trial, without a warrant signed by a secretary of state or six privy counsellors. These enactments, which placed the people of Scotland in a much worse situation

than those of England, had been altered by the amendment made by the Commons, and that amendment he hailed as a most material improvement. He did not, however, the less object to the bill, which he considered to be wholly uncalled for and unnecessary.

The *Lord Chancellor* said, he had wished to have merely given his support to this bill, by his silent vote, for which, however, he was just as much responsible as if he had publicly declared his opinion. But what had been urged by the noble lord with regard to the amendment, rendered it necessary for him to say a few words. In 1794, when a similar measure was proposed, he himself had a considerable knowledge of Scots law, from having been employed more perhaps, than any Englishman before his time, in Scots appeals, at the bar of that House, and he framed the bill, in concert with the late lord Loughborough, who then sat on the woolsack, and who, joined to an intimate knowledge of the law of England, had also a peculiar knowledge of the law of Scotland. That learned lord approved of the bill as then drawn, and no objection was made to it; a similar bill had subsequently passed, and the present bill was a transcript of those. He thought, then, that the bill was right, and he still thought that this bill, as originally introduced, was right; he would not, however, object to the amendment, because rather than any farther delay should take place in the passing of this bill, which, in his conscience, he believed to have been never more necessary than at the present moment, he would agree to the bill as amended. He could not help, however, saying, that in his opinion, the amendment made the bill infinitely worse, both as it regarded the situation of the individual, and the magistrates in England and Scotland.

Lord Holland said, the House had been very hardly dealt with in the proceedings with regard to this bill, no satisfactory explanation having been given with respect either to the bill, or to the particular clause which had been amended, or as to why the House should be called upon to pass the bill with such an extraordinary rapidity; nor even now, when the learned lord declared the amendment made the bill worse, had he condescended to state the reason why it did so. With respect to the haste in which the bill had been passed, he was aware that there were precedents for it; but

of what avail were precedents when thereasons for them had ceased to exist, and no reason whatever had been stated, independently of mere precedents, why the bill should be passed with such extraordinary rapidity? How did it happen that only two days should have been allowed to that House to pass the bill whilst, a week had been allowed in the Commons what became in this case of the pressing and urgent danger? But why hurry the bill through with a clause placing the people of England and Scotland on a different footing, without the least explanation of such a clause? Surely it was not only dealing hardly generally with the House, but still more hardly with those noble Lords who had supported the measure, first to call upon them to agree to the measure as originally drawn and then to say, here is an amendment made in a most material part of the bill, which makes it much worse; how it makes it worse cannot be explained, but still it is necessary the bill should pass as it is. So far as appeared the amendment was a most material improvement, and certainly it had his entire approbation. With regard to the bill itself, his opinion remained unaltered, no sufficient reason having been urged to prove its necessity; the only good part of it was the omission of Ireland, which he certainly rejoiced to see, and he trusted it would have a good effect in promoting the tranquillity of that part of the United Kingdom.

The Earl of *Lauderdale* also contended, that no reason whatever appeared sufficient to authorize this measure. Whatever he had been able to ascertain, tended, on the contrary, to prove that no necessity existed for such a measure as the present. It was not because some poor wretches chose to set up for conspirators, that the whole people of England and Scotland were to be deprived of their liberties. Adam Smith had justly said, that the desire to have any thing did not create a demand for it, unless there were the means to procure it. So with respect to some low and illiterate men, they might desire to be conspirators, but where were their means? If they possessed no means of carrying their conspiracy into effect, how could they become formidable to the state? In Glasgow, for instance, where much had lately been said about arrests, who were the people arrested? Poor and illiterate men, who had no means whatever of doing mischief, at least that

might not be effectually counteracted by the ordinary laws. Of this description were the dangers which were urged as the pretext for this bill. With respect to the amendment, he thought it a little singular, that the learned lord should refuse to enter into any explanation as to why it made the bill worse.

Earl *Bathurst* defended the report of the secret committee. It was a report which had been unanimously agreed to, although the noble lords of whom the committee had been composed were of different political opinions. The same was the case with respect to the report of the secret committee of the House of Commons. Both reports stated distinctly that the existing laws were not sufficient to meet the danger with which the public peace was menaced. The question, therefore, was as to the degree of sedition in the country, all agreeing that sedition there was. Was it of a magnitude sufficient to require a measure of the kind which had been introduced? In his opinion it decidedly was. A noble earl had said that an offer had been made to disprove at the bar the facts on which the report was founded. This he denied. There was nothing in the statements adverted to which affected the character of the report. With respect to the London Union Society, although it might not exist at present, its printed resolutions were spread and adopted throughout the country, in which it had formerly established an extensive correspondence. The proceedings of the Sheffield Union Society were proof of this. The noble earl, in speaking of the amendment had argued as if it exhibited great inaccuracy on the part of their lordships to allow such an error to have passed unnoticed. The learned lord on the woolsack had, however, told their lordships that the provisions of the bill, when it left their lordships House, were the same as they were in the bills for the suspension of the Habeas Corpus at former periods. The noble earl had closely attended the proceedings on some of those former bills, and yet, somehow or other, this gross error, as he termed it, had always escaped his attention. Nothing had been stated to show that Scotland had particularly suffered from the former bills; and certainly, therefore, the renewal of the same provisions in the present bill afforded no proof whatever of censurable hurry.

Earl *Grey* wished to make a few re-

marks on what had just fallen from the noble earl. The noble earl seemed to think, with reference to the circumstances in which the suspension of the Habeas Corpus originated, that the only question was one of degree, and that it was on all sides admitted, that a danger existed in the country which required that the hands of the executive government should be strengthened. If the noble earl in this remark alluded to what he (earl Grey) had said on a former occasion, the noble earl had entirely misapprehended him. Certainly he had never said that there was no danger; but the whole drift and tendency of his argument had been, that while he admitted the existence of danger to the fullest extent in which the noble lords opposite were disposed to assert its existence, he contended that the danger was not of a nature to call for any new legal provisions, and least of all for the adoption of a measure which in its effect suspended for a time the entire liberties of the people of England. To that opinion he adhered; notwithstanding what had been said by the noble and learned lord who maintained that great as was the danger in 1794, the present danger was of considerably greater magnitude; that great as the danger was in 1715 or 1722, or 1745, when the Habeas Corpus was formerly suspended, it was infinitely surpassed by the danger of the present period. "For," said the noble and learned lord, "we are not now called upon to consider whether this or that family shall sit on the throne, but whether all law, power, and authority in the realm shall or shall not be maintained." He would ask the noble and learned lord, whether that was the way in which the dangers of 1715, 1722, and 1745 ought to be stated? Was it merely a contest at that period as to the person of the sovereign? Was not the danger of destroying the principles on which the revolution had been founded, greater than could have resulted from the mere substitution of one family for another? Would not the success of the descendants of James 2d, have occasioned nothing less than the utter subversion of the laws and liberties of the country? The noble and learned lord, as one of the causes which, in his opinion threatened so much danger at the present moment to all law, authority, and government in the realm, had spoken of the seditious publications calculated to deaden all sense of morality and religion, without which, the noble and learned lord truly

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observed, no law, authority, and government could continue to exist. He (earl Grey) was very far from under-rating the evil of such publications; but what he contended was, that the danger threatened by those means might be met by the law as it stood, and was not such as required the suspension of the Habeas Corpus, or which that measure was at all calculated to meet. But was it true that this was a period peculiarly irreligious? He had heard of the evil arising from the increase of Methodistists, and some of the reverend prelates opposite had expressed much alarm at the great diffusion of bible societies; but certainly these circumstances, whatever else they might prove, did not prove that there was any great degree of irreligion in the country. On the contrary, in his opinion, if there was any one time in which the danger of superstition was more to be apprehended than the danger arising from the neglect of religion, it was the present. No case had been made out in the report to justify such a step as the suspension of the Habeas Corpus; and he repeated, that the existing laws would have been quite sufficient to remedy the existing danger, had the executive government done their duty. The report detailed no evidence. It required implicit confidence, without exhibiting the slightest ground on which that confidence ought to rest. This was a great deal too much to expect from their lordships, more especially when such circumstances had arisen to shake the authority of the report. The noble earl had treated this part of the subject as of no importance. Had not an offer been made to disprove at the bar the existence of the identical society, which according to the report, was the centre from which emanated the danger that threatened the country? Why were not the secretary of the alleged society, and the lord mayor and Mr. Alderman Goodbehare allowed to come to the bar to give evidence of the dissolution of the London Union Society? If this fact was not a material one in the report, what deserved to be so called? It formed one of the "fundamental features," as it might perhaps be termed in another place of the report. Shaken as that report was in so material a particular, parliament ought no longer to proceed upon it as the ground of a legislative measure. It was true that the noble earl talked of a Sheffield Union Society and of other provincial Union Societies; but the information which the committee had obtained of

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these societies was evidently of an *ex-parte* kind, and could not be much depended on if it were considered that the same committee asserted the existence of the London Union Society although the president and secretary were ready to testify that it had not met for three years. The noble earl had made a technical objection to his noble friend's motion, by saying, that as his noble friend did not object to the amendments made by the Commons in this bill, he ought not to propose to put off the consideration of them. But the noble earl ought to know enough of the nature of the proceedings in that House to be aware, that however a part of any measure might not be disapproved of by any noble lord, a proposition, by which the whole measure might be got rid of, although it bore, in the first instance, only on that part, was completely fair and allowable. Feeling as he did, that the present was the most uncalled for attack ever made on the liberties of the people, and viewing it as a most dangerous precedent to establish, if his noble friend pressed the question to a division, he would certainly vote with him, not because he objected to the amendments, but because he wished to get rid of the bill altogether. As to the amendments, their lordships appeared to him to be placed in a strange situation. Did they know precisely in what way the people of Scotland were affected by the bill? The learned lord had said, that the bill, when it left their lordships House, was precisely in the form in which bills of a similar description had been passed, and that it was infinitely better in its former than in its present shape. He (earl Grey) must take shame to himself on this subject. He confessed that when the bill was before their lordships, he had attended entirely to its principle—mischievous and dangerous as he felt it to be—and had not adverted to the details. This indeed he felt less called upon to do, as the noble lord who opened the measure, stated that it was to be confined to Great Britain, a necessity for it not existing in Ireland; and he naturally supposed that England and Scotland would be placed with reference to it, precisely in the same situation. As that, however, was not the case, he thought their lordships had a right to complain that their attention had not been directed to the different situation in which the two countries were actually placed. It was nothing to their lordships that the bill in its original

state was in the same shape as former bills had been. The question was, whether that state was a proper state at present? For an explanation on this point their lordships might seek in vain in what had fallen from the learned lord. The learned lord had, indeed, said, that the bill was infinitely worse than before, but he had not told them in what respect it was so. What was the situation of the people of Scotland by the bill before it received any amendment? Was it better or worse than that of the people of England? If worse, why had it been so? If the same, would their present situation be better? It was rumoured that the amendment would render the law altogether nugatory as it respected Scotland. If so, the House had a right to an explanation from the learned lord of the way in which that would be the case. The danger in Scotland had been described to be as great as the danger in England; and yet their lordships were now called upon to agree to a measure without knowing whether or not it would be effectual in Scotland.

The Amendment was negatived without a division. The Amendments made in the bill by the House of Commons were then agreed to.

DISTILLERIES]. The Earl of Darnley asked: whether it was the intention of ministers to stop the distillation from corn in Ireland? From the information he possessed relative to the north of Ireland, he thought that measure highly necessary.

The Earl of *Liverpool* said, the subject had received the most thorough consideration on the part of his majesty's ministers, and it was not thought that the measure alluded to by the noble lord would now be proper. The stopping of the distilleries now would only tend, by a rise of price, to give enormous profits to persons who had a large stock on hand; and besides, the little advantage which might have been derived from the measure would now be lost, as it would be peculiarly injurious to those parts of the country which had much bad corn to dispose of.

The Earl of *Lauderdale* was aware that the stopping of the distilleries was a measure which at all times tended to throw enormous profits into the hands of some individuals; but the noble earl was quite mistaken, if he supposed that, by keeping the distilleries open, he would promote the

consumption of bad corn. The distiller, like every other man, would look to his own advantage, and would purchase only grain of the best quality; because, from the distillation of it, the greatest profit was to be derived.

HOUSE OF COMMONS.

Monday, March 3.

GAME PRESERVATION BILL]. Sir *E. Knatchbull*, in pursuance of his notice, moved for leave to bring in a bill to alter and amend the law of last session, known by the name of the Game act. By that act, persons going out by night with arms about them for the purpose of killing game, were liable to the punishment of transportation. His intention was, to continue this part of the act. But it also enacted, that persons going out by night without arms for the purpose of taking and destroying game, should be subjected to the punishment of transportation. It was his intention to repeal this part of the act. Another part of the act repealed two acts of the 39th and 40th of the King relative to rogues and vagabonds; and it was his intention to repeal this part, that the laws against rogues and vagabonds might be in full force. He concluded with moving. "That leave be given to bring in a bill for the prevention of persons going armed by night for the destruction of game, and for repealing an act made in the last session of parliament relating to rogues and vagabonds."

Leave was given; and the bill was brought in and read a first time.

PETITION FROM BLACKBURN RESPECTING SEDITIOUS MEETINGS.] Mr. *Booth* rose for the purpose of presenting a Petition, numerously signed by the magistrates, gentry, freeholders, and other inhabitants of the hundred of Blackburn, in the county palatine of Lancaster, expressing their abhorrence of the conduct of those who, under the mask of reform, were endeavouring to subvert the constitution; who had emissaries at work all over the kingdom, endeavouring, by every art, to inflame the populace, and stir them up to acts of violence, and carrying about petitions ready made for the purpose of procuring the people by any means to sign them. The petition prayed the House not to consider that the feelings of the great body of the people were expressed in such pe-

titions. The hon. gentleman then stated that the meeting at which this petition was agreed to, was most numerously and respectably attended, and that it might be considered as expressing the sentiments of the great body of the inhabitants of Lancashire. He then mentioned that this meeting was first appointed to be held in the Town Hall at Preston, but that on the day fixed for its taking place, the hall-doors were no sooner opened, than a great body of the populace rushed in and filled the hall to the exclusion of the more respectable part of the people; and that when the place of assembly was thus filled, an address was agreed to, which was quite contrary to the general feeling of the people.

Lord *Stanley* could not let this opportunity pass by without adverting to what had fallen from his hon. friend. With regard to the signatures to the petition, they were in the highest degree respectable, and he believed the petition spoke the sentiments of those individuals who signed it. But he had to learn now, for the first time, that the sentiments of any body of gentlemen, however respectable, of any hundred of a large county, were to be taken for the sentiments of that county, in opposition to the sentiments of a meeting called by public advertisement, where an address had been agreed to, and signed by the high sheriff of the county in his public capacity. The meeting in question was very numerously attended, and, among others, by those who signed the requisition, but they were completely defeated with respect to the address they brought forward, an amended address being carried by a large majority. He was aware that it might be said that many of them were not freeholders; but this was not a meeting of freeholders—it was a general meeting of the county. The result of the determination of that meeting, however, would not come before the House; it was an address to the Prince Regent. Meetings of the county of Lancaster for petitioning were seldom called, on account of the extent and population of the county, and political opinions being so much divided. He protested against this petition being considered as the petition of a meeting of the county of Lancaster.

Mr. *Cawthorne* wished to bear testimony to the respectability of the signatures to the petition. With respect to the meeting at Preston, it had no doubt been regularly convened, on a requisition numerously and respectably signed; but the

doors of the hall had hardly been opened, when in rushed a rabble of cotton-spinners and weavers, and others of the very lowest order of people, with Mr. Casey, a man from Liverpool, at the head of them, an Irish renegade—[loud cries of Hear! from the opposition side]. He would not be deterred from saying what he thought of this person; he had heard him speak at Liverpool and other places, and he believed him to be as mischievous a man as existed in this country. The cotton-spinners and manufacturers of Preston did bear down by their voice those who called the meeting, and voted an amendment to the address proposed by them. The high sheriff, though this amended address was at variance with his private opinion, could not do otherwise than sign it. The address of the meeting at Preston was, therefore, not the address of the freeholders of the county, but of the cotton-spinners and weavers of Preston, of whom any person might collect together any number whenever he pleased. He would venture to assert, that there were not twenty freeholders who agreed to the amended address.

Mr. *Brougham* said, that it had been observed, that to be praised by him who was the object of all men's commendations was a rare felicity. This was not a felicity, however, which it seemed was to be enjoyed by the worthy gentleman, Mr. Casey, whose name had, in so unaccountable a manner, been brought forward on this occasion by the hon. member,—he had not had the good fortune to be praised by a gentleman, whose name was the object of all men's commendations. He would venture to say, that an individual who bore a more respectable character among his friends, or on 'Change, did not exist than Mr. Casey. He had, indeed, met with misfortunes in trade, but he should have thought these misfortunes would rather have screened him from, than exposed him to, objections, which till he had met with misfortunes, had never been heard of. Whether the principles of Mr. Casey were or were not mischievous was a matter, the determination of which must depend on the opinion which every man entertained with respect to the particular question which now divided the country. That he was a powerful advocate of those principles no man would deny—and if he had not also been a successful advocate of them, his name would never have been heard in that House. That he had transferred his

residence from Ireland to this country was a most unusual ground of accusation against him; it was an accusation which, if it were to be allowed any weight, might be found very inconvenient to many persons in England from that country, and the more so, if on leaving that country, they also left their principles behind them [Hear, hear!]. He had only to say that he knew this gentleman by report some time before knowing him personally, but he was now personally acquainted with him; and there were other members in the House besides himself, who could give him the praise of being as steady and consistent in his politics, as he was amiable and respectable in private life. A most extraordinary attack had been made on the meeting at Preston. It had been said that it did not speak the sense of the county—and why?—Because it did not speak the sense of the mover and seconder of the first address. In vain would any such objection have been urged if those who called the meeting had carried their object. His information came from a quarter as respectable as that from which the hon. gentlemen opposite derived theirs, and it was directly the reverse of what they had stated. Very many freeholders were at the meeting, and a decided majority of those present were against the address, and in favour of the amendment; and this had induced the sheriff, though it was contrary to his own private opinion, to sign the amended address.

Mr. *Baring* could not help saying, that it was extremely desirable that county meetings should be regulated by some legislative enactments. He knew, from experience, that petitions often came before the House, as speaking the sense of meetings of large counties, which only spoke the sentiments of the rabble of the county town. With respect to this particular case, that the sheriff signed the address, was all the satisfaction that the House could have of its speaking the sense of the county of Lancaster. But speaking in general, he had no hesitation in saying, that the country was exposed to great mischief from the labours of a few active Jacobins, who went about influencing the lower orders of people to attend public meetings. From the way petitions were carried, of which not merely the gentlemen of a county, but even the respectable tradesmen generally disapproved, he thought that in all times, and in all situations of the country, it would be ex-

tremely desirable to regulate the mode in which meetings should be held. There ought to be some regulation to secure the House against delusion.

Mr. *Birch* said it was rather too much to state that the sentiments of the present petition were the sentiments of the freeholders of the county of Lancaster. The hon. member for Lancaster had talked of the cotton-spinners and weavers who composed the meeting at Preston. But he would ask him how many cotton-spinners and weavers had been influenced by their masters to sign the present petition? [Not one, from Mr. Cawthorne]. This was a bold assertion. It did not become that hon. gentleman to talk of Irish renegades. He had never heard any thing against the gentleman whom he had so characterized, either as a merchant or a man; nothing which could lead him to infer that he ought to be considered as a mischievous person.

Mr. *Boote Wilbraham* said, that, in what he had observed, when he presented the petition, he meant not to make any personal allusion. He, however, must declare it to be a notorious fact, that the Preston meeting was irregularly conducted. The room appropriated for the purpose was of very confined extent, and, before those who had signed the requisition made their appearance, it was almost completely occupied.

The petition was ordered to lie on the table.

MOTION FOR A NEW WRIT FOR ST. MAWES IN THE ROOM OF MR. HORNER*]. Lord *Morpeth* rose, and spoke as

* Extract from the Morning Chronicle of Friday, the 28th of February 1817.—"It is with deep concern we have to announce the death of Francis Horner, esq. Member of Parliament for St. Mawes. This melancholy event took place at Pisa on the 8th instant. We have had seldom to lament a greater loss, or to bewail a more irreparable calamity. With an inflexible integrity and ardent attachment to liberty, Mr. Horner conjoined a temperance and discretion not always found to accompany these virtues. The respect in which he was held, and the deference with which he was listened to in the House of Commons, is a striking proof of the effect of moral qualities in a popular assembly. Without the adventitious aids of station or fortune, he had acquired a

follows:—I rise to move, Sir; that the Speaker do issue his warrant to the clerk of the Crown to make out a new writ for the electing of a burgess to serve in this present parliament for the borough of St. Mawes, in the room of Francis Horner, esq. deceased. In making this motion, I trust it will not appear presumptuous or officious, if I address a few words to the House upon this melancholy occasion. I am aware that it is rather an unusual course; but, without endeavouring to institute a parallel with other instances, I am authorized in saying that the course is not wholly unprecedented.

My lamented friend, of whom I never can speak without feelings of the deepest regret, had been rendered incapable for some time past, in consequence of the bad state of his health, of applying himself to the labours of his profession, or to the discharge of his parliamentary duties. He was prevailed upon to try the effects of a milder and more genial climate—the hope was vain, and the attempt fruitless: he sunk beneath the slow but destructive effect of a lingering disease, which baffled the power of medicine and the influence of climate; but under the pressure of increasing infirmity, under the infliction of a debilitating and exhausting malady, he preserved undiminished the serenity of his amiable temper; and the composure, the vigour, and firmness of his excellent and enlightened understanding. I may, perhaps, be permitted, without penetrating too far into the more sequestered paths of private life, to allude to those mild virtues—those domestic charities, which embellished while they dignified his private

weight and influence in parliament, which few men, whose lives were passed in opposition, have been able to obtain; and for this consideration he was infinitely less indebted to his eloquence and talents, eminent as they were, than to the opinion universally entertained of his public and private rectitude. His understanding was strong and comprehensive, his knowledge extensive and accurate, his judgment sound and clear, his conduct plain and direct. His eloquence, like his character, was grave and forcible, without a particle of vanity or presumption, free from rancour and personality, but full of deep and generous indignation against fraud, hypocrisy, or injustice.—He was a warm, zealous, and affectionate friend—high-minded and disinterested in his conduct—firm and

character. I may be permitted to observe, that, as a son and as a brother, he was eminently dutiful and affectionate: but I am aware that these qualities, however amiable, can hardly, with strict propriety, be addressed to the consideration of parliament. When, however, they are blended, interwoven, and incorporated in the character of a public man, they become a species of public property, and by their influence and example, essentially augment the general stock of public virtue.

For his qualifications as a public man I can confidently appeal to a wider circle—to that learned profession of which he was a distinguished ornament—to this House, where his exertions will be long remembered with mingled feelings of regret and admiration. It is not necessary for me to enter into the detail of his graver studies and occupations. I may be allowed to say generally, that he raised the edifice of his fair fame upon a good and solid foundation—upon the firm basis of conscientious principle. He was ardent in the pursuit of truth; he was inflexible in his adherence to the great principles of justice and of right. Whenever he delivered in this House the ideas of his clear and intelligent mind, he employed that chaste, simple, but at the same time nervous and impressive style of oratory which seemed admirably adapted to the elucidation and discussion of important business; it seemed to combine the force and precision of legal argument with the acquirements and knowledge of a statesman.

decided in his opinions—modest and unassuming in his manners. To his private friends his death is a calamity they can never cease to deplore. To the public it is a loss not easily to be repaired, and, in times like these, most severely to be felt.—Mr. Horner was born in 1779, admitted member of the faculty of advocates in 1800, and called to the English bar in 1807. He came first into the House of Commons in 1806, and has been member of three successive parliaments. The only official situation he ever held was the laborious office of commissioner for the liquidation of the Carnatic claims, which he kept only for a short time, having resigned it many years ago, because he found the duties which it imposed on him were incompatible with the application due to his professional pursuits.”

Of his political opinions it is not necessary for me to enter into any detailed statement: they are sufficiently known, and do not require from me any comment or illustration. I am confident that his political opponents will admit that he never courted popularity by any unbecoming or unworthy means: they will have the candour to allow, that the expression of his political opinions, however, firm, manly, and decided, was untinged with moroseness, and unembittered with any personal animosity or rancorous reflection. From these feelings he was effectually exempted by the operation of those qualities which formed the grace and the charm of his private life.

But successful as his exertions were, both in this House and in the courts of law, considering the contracted span of his life, they can only be looked upon as the harbingers of his maturer fame, as the presages and the anticipations of a more exalted reputation. But his career was prematurely closed. That his loss to his family and his friends is irreparable, can be readily conceived; but I may add, that to this House and the country it is a loss of no ordinary magnitude: in these times it will be severely felt. In these times, however, when the structure of the constitution is undergoing close and rigorous investigation, on the part of some with the view of exposing its defects, on the part of others with that of displaying its beauties and perfections; we may derive some consolation from the reflection, that a man not possessed of the advantages of hereditary rank or of very ample fortune, was enabled, by the exertion of his own honourable industry—by the successful cultivation of his native talents, to vindicate to himself a station and eminence in society, which the proudest and wealthiest might envy and admire. I ought to apologize to the House, not, I trust, for having introduced the subject to their notice, for of that I hope I shall stand acquitted, but for having paid so imperfect and inadequate a tribute to the memory of my departed friend.

Mr. *Canning*.—Of all the instances wherein the same course has been adopted, as that which my noble friend has pursued with so much feeling and good taste on this occasion, I do not remember one more likely than the present to conciliate the general approbation and sympathy of the House. I, Sir, had not the happiness

(a happiness now counterbalanced by a proportionate excess of sorrow and regret) to be acquainted personally, in private life, with the distinguished and amiable individual whose loss we have to deplore. I knew him only within the walls of the House of Commons. And even here, from the circumstances of my absence during the last two sessions, I had not the good fortune to witness the later and more matured exhibition of his talents; which (as I am informed, and can well believe) at once kept the promise of his earlier years, and opened still wider expectations of future excellence. But I had seen enough of him to share in those expectations; and to be sensible of what this House and the country have lost by his being so prematurely taken from us. He had, indeed, qualifications eminently calculated to obtain and to deserve success. His sound principles—his enlarged views—his various and accurate knowledge—the even tenour of his manly and temperate eloquence—the genuineness of his warmth, when into warmth he was betrayed—and, above all, the singular modesty with which he bore his faculties, and which shed a grace and lustre over them all; these qualifications, added to the known blamelessness and purity of his private character, did not more endear him to his friends, than they commanded the respect of those to whom he was opposed in adverse politics; they ensured to every effort of his abilities an attentive and favouring audience; and secured for him, as the result of all, a solid and unenvied reputation.—I cannot conclude, Sir, without adverting to a topic in the latter part of the speech of my noble friend, upon which I most entirely concur with him. It would not be seemly to mix with the mournful subject of our present contemplation any thing of a controversial nature. But when, for the second time within a short course of years, the name of an obscure borough is brought before us as vacated by the loss of conspicuous talents and character,* it may be permitted to me, with my avowed and notorious opinions on the subject of our parliamentary constitution, to state, without offence, that it is at least some consolation for the imputed theoretical defects of that constitution, that in practice it works so well. A system of

representation cannot be wholly vicious, and altogether inadequate to its purposes which sends to this House a succession of such men as those whom we have now in our remembrance, here to develop the talents with which God has endowed them, and to attain that eminence in the view of their country, from which they may be one day called to aid her counsels, and to sustain her greatness and her glory.

Mr. *Manners Sutton*.—I know not whether I ought, even for a moment, to intrude myself on the House: I am utterly incapable of adding any thing to what has been so well, so feelingly, and so truly stated on this melancholy occasion; and yet I hope, without the appearance of presumption, I may be permitted to say, from the bottom of my heart, I share in every sentiment that has been expressed. It was my good fortune, some few years back, to live in habits of great intimacy and friendship with Mr. Horner: change of circumstances, my quitting the profession to which we both belonged, broke in upon those habits of intercourse; but I hope and believe I may flatter myself the feeling was mutual. For myself, at least, I can most honestly say, that no change of circumstances—no difference of politics—no interruption to our habits of intercourse, even in the slightest degree diminished the respect, the regard, and the affection I most sincerely entertained for him. This House can well appreciate the heavy loss we have sustained in him, as a public man. In these times, indeed in all times, so perfect a combination of commanding talents, indefatigable industry, and stern integrity, must be a severe public loss: but no man, who has not had the happiness—the blessing, I might say—to have known him as a friend; who has not witnessed the many virtues and endearing qualities that characterized him in the circle of his acquaintance, can adequately conceive the irreparable chasm in private life this lamentable event has made. In my conscience I believe there never lived the man, of whom it could more truly be said, that, whenever he was found in public life, he was respected and admired—whenever he was known in private life, he was most affectionately beloved. I will no longer try the patience of the House: I was anxious, indeed, that they should bear with me for a few moments, whilst I endeavoured, not to add my tribute to the regard and veneration in which his memory ought, and assuredly

* Mr. Windham, who represented St. Mawes in 1806, died member for Higham Ferrers in 1810.

will be held; but whilst I endeavoured, however, feebly, to discharge a debt of gratitude, and do a justice to my own feelings.

Mr. Wynn said, that his noble friend (lord Morpeth), and his right hon. friend who had last spoken, had expressed themselves concerning their departed friend with that feeling of affection and esteem which did them so much honour, and which was heightened by their habits of intimacy, and their opportunities of observing his character; but the virtues by which he was distinguished were not confined within the circle of his acquaintance, or concealed from the view of the world. Every one who saw Mr. Horner had the means of judging of his temper, his mildness, and his personal virtues; for they were seen by all. He carried with him to public life, and into the duties and the business of his public station, all that gentleness of disposition, all that amenity of feeling, which adorned his private life, and endeared him to his private friends. Amidst the heats and contests of the House, amidst the vehemence of political discussion, amidst the greatest conflicts of opinion and opposition of judgment, he maintained the same mildness and serenity of disposition and temper. No eagerness of debate, no warmth of feeling, no enthusiasm for his own opinions or conviction of the errors of others, ever betrayed him into any uncandid construction of motives, or any asperity towards, the conduct of his opponents. His loss was great, and would long be regretted.

Sir S. Romilly said, that the long and most intimate friendship which he had enjoyed with the hon. member, whose loss the House had to deplore, might, he hoped, entitle him to the melancholy satisfaction of saying a few words on this distressing occasion. Though no person better knew, or more highly estimated, the private virtues of Mr. Horner than himself, yet, as he was not sure that he should be able to utter what he felt on that subject, he would speak of him only as a public man. Of all the estimable qualities which distinguished his character, he considered as the most valuable, that independence of mind which in him was so remarkable. It was from a consciousness of that independence, and from a just sense of its importance, that, at the same time that he was storing his mind with the most various knowledge on all subjects connected with our internal economy and foreign politics,

and that he was taking a conspicuous and most successful part in all the great questions which have lately been discussed in parliament, he laboriously devoted himself to all the painful duties of his profession. Though his success at the bar was not at all adequate to his merits, he yet steadfastly persevered in his labours, and seemed to consider it as essential to his independence that he should look forward to his profession alone for the honours and emoluments to which his extraordinary talents gave him so just a claim. In the course of the last twelve years the House had lost some of the most considerable men that ever had enlightened and adorned it: there was this, however, peculiar in their present loss. When those great and eminent men to whom he alluded were taken from them, the House knew the whole extent of the loss it had sustained, for they had arrived at the full maturity of their great powers and endowments. But no person could recollect—how in every year since his lamented friend had first taken part in their debates, his talents had been improving, his faculties had been developed, and his commanding eloquence had been rising with the important subjects on which it had been employed—how every session he had spoken with still increasing weight and authority and effect, and had called forth new resources of his enlightened and comprehensive mind—and not be led to conjecture, that, notwithstanding the great excellence which in the last session, he had attained, yet if he had been longer spared, he would have discovered powers not yet discovered to the House, and of which perhaps he was unconscious himself. He should very ill express what he felt upon this occasion, if he were to consider the extraordinary qualities which Mr. Horner possessed apart from the ends and objects to which they were directed. The greatest eloquence was in itself only an object of vain and transient admiration; it was only when ennobled by the uses to which it was applied, when directed to great and virtuous ends, to the protection of the oppressed, to the enfranchisement of the enslaved, to the extension of knowledge, to dispelling the clouds of ignorance and superstition, to the advancement of the best interests of the country, and to enlarging the sphere of human happiness, that it became a national benefit and a public blessing; that it was because the powerful talents, of which they were now deprived, had been uniformly exerted in

the pursuit and promoting of such objects, that he considered the loss which they had to lament as one of the greatest which in the present state of this country, it could possibly have sustained.

Mr. *W. Elliot*.—Amongst his other friends, sir, I cannot refuse to myself the melancholy consolation of paying my humble tribute of esteem and affection to the memory of a person, of whose rich, cultivated, and enlightened mind I have so often profited, and whose exquisite talents—whose ardent zeal for truth—whose just, sedate, and discriminating judgment—whose forcible, but chastened eloquence—and, above all, whose inflexible virtue and integrity rendered him one of the most distinguished members of this House, one of the brightest ornaments of the profession to which he belonged, and held him forth as a finished model for the imitation of the rising generation. The full amount of such a loss, at such a conjuncture, and under all the various circumstances and considerations of the case, I dare not attempt to estimate. My learned friend (sir *S. Romilly*) has well observed, that, if the present loss be great, the future loss is greater: for, by dispensations far above the reach of human scrutiny, he has been taken from us at a period when he was only in his progress towards those high stations in the state, in which, so far as human foresight could discern, his merits must have placed him, and which would have given to his country the full and ripened benefits of his rare and admirable qualities.

Mr. *C. Grant*, junr. had known his lamented friend before he had distinguished himself so much as he had subsequently done: and could not be silent when such an opportunity occurred of paying a tribute to his memory. Whatever difference of opinion they might have on public questions, he could suspend that difference to admire his talents, his worth, and his virtues. It was not his talents alone that were developed in his eloquence. His eloquence displayed his heart: through it were seen his high-minded probity, his philanthropy, his benevolence, and all those qualities which not only exacted applause, but excited love. It was the mind that appeared in speeches that gave them character. He would not enter into the account of his private life, although his private virtues were at least on a level with his public merits. Amid all the cares and interests of public life he never lost his relish for domestic society or his at-

tachment to his family. The last time that he (Mr. *G.*) conversed with him, he was anticipating with pleasure the arrival of a season of leisure, when he could spend a short time in the bosom of his family, and amid the endearments of his friends. When he looked at his public or private conduct, his virtues, or his talents, he would be allowed to have earned applause to which few other men ever entitled themselves.

Lord *Lascelles* hoped to be excused for adding a few words to what had been said, though he had not the honour of a private acquaintance with Mr. *Horner*, whom he knew only in this House, where they had almost uniformly voted on opposite sides on every great question. Notwithstanding these differences, he had often said in private, that Mr. *Horner* was one of the greatest ornaments of his country; and he would now say in public, that the country could not have suffered a greater loss. The forms of parliament allowed no means of expressing the collective opinion of the House on the honour due to his memory; but it must be consolatory to his friends to see that if it had been possible to have come to such a vote, it would certainly have been unanimous.

The motion was then agreed to.

SEDITIONS MEETINGS BILL.] The *Solicitor-General* rose to move the second reading of the bill for preventing Seditious Meetings. Before he made his motion, he would briefly explain the reasons for passing this bill, and the different enactments which it contained. To those who thought the report before the House contained no proof of combinations and conspiracies, he deemed it useless to appeal, but to those who had deemed that conspiracies not only existed, but were dangerous and alarming, he should be able to give sufficient reasons for adopting the bill on the table. Of the various means employed by the fomenters of discontent, one of the most efficacious was, to call together a number of persons to inflame them by harangues, to persuade them that the evils arising from the circumstances of the times would be remedied by their application to parliament, and to persuade them that they had a right to force parliament to comply with their demands. These meetings, which might be turned to every mischievous purpose, the bill was intended to control by some regulations precisely of the same kind as those adopted at other critical

times. There were some meetings which it was not intended to touch by the bill. These were meetings called by lord lieutenants, Custos Rotulorum, or sheriffs of the county, or any riding, or division of the county, or the mayor, or alderman, or any head officer of any corporation or division of a corporation. Such meetings were not touched nor regulated by the bill, and it would be thought that if there were any grievances, real or imagined, the people would never want means of expressing their feelings on it through the medium of such meetings. But there was another opening left to petitioning, for on a requisition being signed by seven resident householders, a meeting might at any time or place be convened. There were other provisions of the bill upon which he felt it his duty to enlarge. A meeting when convened according to a requisition signed by seven resident householders, would still be liable to certain regulations. The justices who attended at such meeting would be authorized to declare it an unlawful assembly, if it proceeded to discuss any subject tending to alter matters of state, without the authority of king and parliament. It was evident that any such discussions could only have a mischievous effect. Another regulation was, that any person propounding matters of that sort, or propounding any seditious matter, might be taken up for so doing. All those regulations were precisely similar to what had been introduced into the bill of 1796. The first object of the measure, therefore, was, to prevent any meetings or assemblies of above fifty persons, except such meetings of corporate bodies, &c. as he had already mentioned, and except such as were called together upon a notice signed by seven householders. In the committee, however, it was his intention to propose a clause, which he should mention now, as it partly involved a new subject matter, though in no respect contrary to the avowed spirit and purpose of the bill. The object of his clause would be to prevent those meetings, so convened by seven householders, from being adjourned, and to prevent them from being held at any other time or place than what should be at first specified, by way of adjournment. If that evil were not guarded against, it might be contended, that the original meeting being legally called, an adjourned meeting would be equally legal; but he need hardly say how dangerous such a practice might become, by keeping such large bodies of men in a state of fancied

continuity; nor how, if adopted, it would substantially defeat the present bill. The clause, therefore, would declare all meetings to be illegal which were adjourned to any other time or place than that mentioned in the notice, and such person or persons as proposed such adjournment liable to a penalty. A second object of the bill would be to prevent the existence of debating societies, lecture rooms, reading rooms, &c. for admission to which money was received. A similar measure was enacted in 1796; but that law was not found so explicit as to comprehend all societies for discussions, debates, and lectures, it was, therefore, altered in 1799, but as the offence, though more clearly defined, was only made an offence within the meaning of the statute of the 36th of the king, when the 36th expired, the 39th, so far as that part of it was to be considered, expired also. He should further observe, that the 39th of the king had for its object to suppress by name certain societies, whose existence was regarded as detrimental to the state; it also declared other societies to be unlawful which were constituted in a particular way, such as imposing oaths, engagements, tests, declarations, &c. or having branches, divisions, employing delegates, &c. And all those enactments were still in force, but they did not touch the evil as it existed in the societies that were now formed. The latter had no branches, divisions, or separate parts, but they had the same pernicious effects, though they were professed to be distinct and independent clubs, for they employed delegates or missionaries to diffuse their doctrines throughout the country. He should therefore propose to adopt that part of the act of 1796, which declared unlawful all societies that had delegates or missionaries for the purpose of confirming others in the principles they professed, and to make them liable to the same penalties as were enacted by that law. Another object of the bill would be to suppress a particular society or societies, calling themselves the Spenceans, or Spencean philanthropists. If ever there was a society, the doctrines of which were utterly subversive of every well regulated state, subversive of all property, order, and good government, it was that society. At the present moment there was an immense number of persons who belonged to it; and therefore, without inquiring whether it employed delegates or not, it was condemned by the very doctrines which it promulgated, and

was rendered as unlawful as any corresponding society that ever existed. With respect to the employing of delegates or missionaries, he was aware that many societies of the most exemplary kind did so; he believed the Quakers had persons who visited their different communities in that character, though under a different appellation, and therefore it would be a provision in the act, to except from its operation all societies constituted for charitable or religious purposes. The hon. and learned gentleman concluded with moving the second reading of the bill, after expressing his firm conviction of its necessity in the present alarming crisis.

Mr. Ponsonby said, that as there would be several stages of the bill in which its principle and provisions might be discussed, he should abstain from entering upon them at present. It was so framed, indeed, and so mixed up with two other acts of parliament, that it was difficult to ascertain what its principle was. He had no objection to that part which provided that seven resident householders should sign a requisition, because he did not think it would throw any real impediment in the way of the constitutional right of petitioning the throne and parliament. But there were some clauses to which he greatly objected. He thought, however, it would be better to let the bill go into a committee, and when they fully understood its provisions, they would then be able thoroughly to investigate its principle. He would merely suggest that there were two clauses in the act of 1799, which ought to be adopted, one from policy, and the other from consistency. The first related to the indemnifying a person against all acts which he might have committed as a member of those societies, previously to the passing of the law. Such a provision would operate as an inducement to many to quit and renounce those unlawful assemblies. The second referred to a limitation of time in which actions could be brought against an individual. They had already protected the magistrates in that respect, and for the sake of consistency they ought to secure the subject.

Mr. C. Calvert said, he should certainly oppose the second reading of the bill. There had been a meeting that very day in the borough of Southwark, originally convened for the purpose of petitioning against the suspension of the Habeas Corpus, but the rapidity with which that measure was hurried through, rendered it

unavailing. They came, however, to a unanimous vote upon the propriety of petitioning parliament against passing any other laws for taking away or abridging the liberty of the subject. That petition he should present to-morrow, and coinciding as he did in its prayer, he did not know how he could avoid taking the sense of the House upon the bill.

Sir F. Burdett said, he felt it impossible to avoid entering his protest against the measure at its outset. It was a direct infringement upon the bill of rights, which secured to the poorest man in the kingdom the right of petitioning upon the grievances of the country. But if the present law passed, he could not exercise that right, unless he found seven householders who would sign a requisition. He was persuaded the chief cause of the bill was on account of the number of petitions which the people were sending to that House. The people complained so loud that members, as they did not choose to listen to their prayer, were resolved to stifle their voice by this code of despotism. He regarded the present bill as the most objectionable of all, because it attacked the right of petitioning. Notwithstanding all that was said of disturbances, yet it was a fact, that innumerable petitions (there were now above 600 lying on the floor, signed by nearly a million of persons) had been drawn up at meetings where order and regularity prevailed, to a degree that was really surprising. He believed that no other country in the world could exhibit a population, suffering under such accumulated distresses, where so much forbearance and temper were manifested. Their conduct took away every pretext for infringing the constitution; and he was surprised that the absurdity of the Spencean doctrines did not render gentlemen ashamed of expressing any apprehensions from such a cause.

Lord William Russell conceived it to be his duty, as a representative, bound to defend the purses and liberties of his constituents, to enter his protest against the present measure. He would cheerfully give to the government all the security that was consistent with the principles of the constitution; but he considered that the House had already, by suspending the law of Habeas Corpus and trial by jury, given them as much power as the Romans gave to a dictator, when they directed him to provide *ne quid detrimenti, respublica capiat*.

Mr. *Law* contended, that so far from taking away the right of petitioning, the bill in question tended to give that right greater security and effect, by guarding against tumultuary and seditious proceedings. He would suggest, however, to the law officers, a provision which he thought it might be desirable to enact. It was extremely possible that combinations might be entered into, to require meetings in different parts of a county, at one and the same time, with a view to distract the civil and military force. In order to prevent that it might be provided, that persons anxious to have a meeting convened, should communicate their desire to the magistrates, who should be compelled to call the meeting within a specified time (suppose seven days) under a heavy penalty.

Sir *John Newport* expressed his determination to postpone his opinion on the bill until it should be committed. He trusted that whatever clauses honourable gentlemen intended to propose would be submitted in that stage. As the bill now stood, it was confessedly an imperfect measure; but, after the committal, he must hope that the bill would not be varied in after stages.

The *Attorney-General* observed, that the promoters of the bill felt it to be their duty, as well as their inclination, to bring forward all the clauses they meant to propose at once, and that they would have nothing to add in the committee. The hon. and learned gentleman then entered into similar explanations of the nature and tendency of the measure as had been afforded by the solicitor-general.

Mr. *Calvert* said, that not wishing to set up his own judgment against the opinion of both sides of the House, he would not insist on a division.

Sir *M. W. Ridley* said, that he wished to have some explanation from the attorney-general respecting the meaning and operation of that clause in the bill, which, as it appeared to him, would prevent persons from resorting to any rooms for the purpose of reading books, pamphlets, and the daily journals. As he read this clause, he conceived that it went to prevent persons from resorting to reading rooms and circulating libraries, for the purpose of reading newspapers and books, which would be a most unwarrantable oppression of the subject. In the town in which he lived, there was a reading room, which was frequently attended by the most re-

spectable persons; and yet, under this clause, the person who kept it, and the parties who resorted to it (unless, indeed, it were regularly licensed, which appeared to him to be a very arbitrary mode of collecting money) would be liable to be prosecuted. But this was not his only objection to this bill; he objected to the preamble, which stated, "whereas assemblies of divers persons, collected for the purpose, or under the pretence, of deliberating on public grievances, and of agreeing on petitions, complaints, remonstrances, or other addresses to the Prince Regent, or to both Houses of Parliament, have of late been made use of to serve the ends of factious and seditious persons, to the great danger and disturbance of the public peace, have produced acts of riot, tumult, and disorder, and may become the means of producing confusion and calamities in the nation." Now, what was this but a libel on the whole people of England? It asserted that which was not true; for he maintained, from all that he had seen or heard on the subject, that in none of the meetings held for the purpose of petitioning had any acts of riot, tumult, or disorder taken place. The riot in the metropolis, on which the secret committee had founded a great part of their report, did not commence in Spafford, but was committed by some disorderly persons whose object was totally unconnected with the purposes for which meetings had been called in almost every part of the kingdom.

Lord *Cochrane* hoped the House would pause before they gave ministers the power to suppress all the public sources of reading and information. He adverted to what had been mentioned in the report respecting the disposition of the people at Glasgow, and begged leave to read an extract of a letter from Mr. McArthur (whose name had been introduced on a former occasion) on that subject. It stated that people were persecuted by the spies of government. One gentleman had been seized in his bed at one in the morning, charged by a malicious spy with disaffection, and having arms in his house. He was thrown into a dungeon and kept for two nights; but when examined, he was liberated, the whole being false. The letter added that the reign of terror was begun. And that the people were indignant at the practices that were resorted to ensnare the unwary, as the above was a plot of the creatures in the pay of

government. The meetings alluded to at Glasgow were not political, but merely for obtaining parochial relief, which was not obtained in Scotland as in England. He was afraid the intention of all these bills was, the destruction of the press, as no man would be safe after they had passed; for if he went into a box in a coffee-house, and gave a free opinion, a waiter might inform against him, on whose oath he would be committed. This was really not a state in which the people deserved to be placed. The lord mayor had, he understood, stated at the common council, that he himself had furnished two-thirds of the contents of the green bag, and he did not believe in the serious opinions that had been entertained about them. It might be very convenient for ministers to divert the attention of the public from those objects which were really injurious to the country, and which struck at the very roots of trade and commerce. But he trusted the good sense of the House would see through this. He read further extracts from the above-mentioned letter, which stated, that the people of Glasgow had published a declaration, in which they stated, that they had seen with grief the reports laid before parliament, which as far as they related to them, contained not a shadow of truth. They had never heard even the name of the Spenceans till they had seen it in the newspapers. The lord mayor (his lordship continued) had estimated the whole number of these visionaries as not exceeding one hundred, and there was plenty of room in Bedlam for them all. The noble lord concluded by urging the necessity of full discussion, and referred to the observation of the attorney-general on a former night, that he had been sixteen hours engaged in his professional duties before he came to that House to give his opinion on the measure before them. Surely it became members to consider the subject more maturely, before they came to decide upon it by their votes.

Mr. *Baring* said, he would not object to this measure if a clear and decided case could be made out for its necessity. He conceived, however, that every gentleman in the House was as able to judge of the state of the country as every member of the committee; and certainly, as far as his knowledge extended, there was no occasion whatever for invading the liberties of the people. He had not the least doubt that some blasphemous publications had

been brought before the committee; but he could not for a moment believe that such publications prevailed throughout the country. There never was a time within his recollection, when there existed a stronger religious feeling and veneration for those sacred subjects, the detestation of which seemed by the report to be one of the grounds of these proceedings. This was a period in which enthusiasm seemed to have taken hold of the minds of men, and a disposition had sprung up in the lower classes to dive into unknowable mysteries, and to puzzle themselves with what they had better leave alone. As to the riot which followed the meeting at Spawfields, a very inconsiderable part of the population of the metropolis had been concerned in it; half a dozen people got down from a waggon, and very few joined them on their way to the city. With respect to the Spencean plan, he had never once heard of it till he saw the report: and, even then, he knew so little of the founder of that sect, that he thought he had been a Mr. Spence who wrote a pamphlet a few years ago on foreign commerce. Connecting these circumstances together, he was decidedly of opinion, that there had been very great exaggeration in the apprehensions of the committee and of his majesty's ministers. He could not but think, that all the plots or plans, or whatever they were to be called, might have been put down, if left alone, with perfect security to the country. It did not appear that there was any intention of opposing the bill going into a committee, and therefore, he should not deliver his opinions upon it at present; but he could not suffer it to pass even thus far, without stating that it contained, some provisions, which, if ultimately carried, would give ministers a discretionary power over the most harmless intercourse of society.

Mr. *Wynn*, as he had not been a member of the secret committee, had had no opportunity of knowing the nature of the evidence on which they had founded the report; but from reading that report, he had no hesitation in believing that the danger extended to a much greater length than was generally thought. How the lord mayor could have searched through the contents of the sealed bag, and have known the evidence that the members had before them was to him a mystery. The report did not state those societies to be prevalent over every part of the kingdom, but over a very great part. He could

not do otherwise than give his confidence to those who framed the report; as it was not possible, nor would it have been justifiable for them to give the evidence. He would not, however, pledge himself to give his support to the whole of these measures, particularly to those that applied to reading-rooms and libraries, which he thought went farther than any thing that was ever in the contemplation of any man before. The hon. gentleman adverted to the nature of the riot act, which was as old as almost any law in existence. It made the hundred liable to the damage committed by rioters; but it had been decided that damages could not be recovered unless it was proved that it was the intent of the rioters to destroy the House. In the riot on the 2d of December, one person had his house entered and robbed of property to the amount of 1,000*l.*, and he could gain no redress whatever. He therefore suggested, whether it would not be advisable to extend redress in cases of riots of all descriptions.

Lord *Rancliffe* differed from the hon. gentleman who spoke last, and thought the lord mayor competent authority as to the validity of the documents that passed through his hands. He agreed with the chief magistrate in thinking that there never was a green bag which gave birth to so foolish a child.

The bill was then read a second time, and ordered to be committed to-morrow.

PETITIONS RELATING TO REFORM, &c]. Sir *F. Burdett* said, he was intrusted with the presentation of certain petitions for a reform in parliament, about 600 in number, and signed by nearly a million of individuals. He would not occupy the time of the House by attempting to particularize these petitions, but would merely move that they be brought up.

The *Speaker*—Are they all to the same effect?

Sir *F. Burdett* replied in the affirmative, and proceeded to the floor, near the table, which was strewed for a large space with these petitions. On the question that they be brought up, a laugh was caused by the difficulty in which the hon. baronet was placed, owing to the great mass of these petitions. Sir *Francis*, assisted by the clerks, went through the labour of lifting the petitions upon the table. When those from Blackburne, Derby, and some other towns were read, several of the petitions were found to be printed.

The *Speaker* observed, that he was afraid the hon. baronet must take them all back [a laugh!]. Sir *F. Burdett* replied, that there appeared several not printed. He then selected those from Preston, Hull, Manchester, Bolton-le-Moore, Loughborough, Ashton-under-Line, and others; which were laid on the table. Lord *Cochrane* then assisted in selecting several petitions from Scotland, which were laid on the table. In the course of selecting these petitions from the quantity on the floor, an address to the Prince Regent was read among the number, which induced the *Speaker* to observe, that he was afraid the hon. member had not read the documents, that he was about to lay before the House.

Mr. *Manning* said, that when the hon. baronet proposed to bring up the 600 petitions on the floor, he thought it not too much to expect that he knew something about them. It now appeared, however, that he did not. The hon. baronet would consult the convenience of the House, by ascertaining, before he brought petitions down to the House, what could, and what could not be received.

The *Speaker*, since the attention of the House had been called to this subject, thought it right to state, that the hon. baronet owed it to the House and to himself, to see what it was that he took upon himself to present. Had the hon. baronet looked over the mass of documents now before the House, he would have seen that some of them were not petitions. As the matter now stood, it was not too much to expect that he should proceed no further with them that day.

Sir *F. Burdett* had no objection to postpone the reading of the remainder, as he should then have an opportunity of expressing his sentiments on the course pursued by the House in rejecting printed petitions.

Mr. *Serjeant Best* remarked, that some of the petitions had long lists of names attached to them, which were all evidently written by one hand.

The *Speaker* said, the House had a right also to expect that the hon. baronet would not present any petition couched in the same terms as those which had been rejected. Much of the business of that House was done on the faith and confidence had in its members. If the rules of the House should in consequence be inadvertently overstepped, that confidence must be diminished for the time to come.

Mr. Law put it to the House, whether justice could be done to the sentiments of the country, whatever they might be, by presenting petitions in this manner.

Sir F. Burdett, in explanation, stated, that it had devolved on him as a duty, painful as it was in many respects, to present these petitions to the House, their number must be his excuse, for not acquainting himself with their contents. Some of them he found were printed, but he could see no rational ground for objecting to them on that account, for it could not be denied that a printed petition might express the sentiments of the people as correctly as if it were written.

The Speaker said, the House had been in the habit of reading a single petition, and of receiving from members others on the same subject in confidence. Hence the practice of bringing up many petitions at once, had become common, but this night it had been carried to an unprecedented extent. At present, though many had been read, not one had been ordered to lie on the table; it was therefore competent for the House to postpone all further proceedings on them, and this, he thought, might be the best course that could be taken.

Mr. Swan said, he had seen a list of many names attached to a petition, all evidently written by one hand, and there was one list without a petition.

The Speaker inquired, if any one moved that the further proceedings on them should be postponed.

It was then moved, that the further consideration of the petitions should be postponed till to-morrow.

Mr. Law noticed the extraordinary coincidence in the wording of these petitions, which were almost all that he had seen, nearly the same.

Mr. Calcraft had no objection to the motion for postponing the petitions, but he begged leave to observe, on the assertion of the hon. member respecting the number of names said to have been written by one person, that it was difficult for any person to hazard such a conjecture on the cursory view taken of the names by the hon. member. He could see no advantage to be derived from such a circumstance, for among the hundreds and thousands of persons petitioning in the kingdom there was no necessity of affixing any false names to petitions.

Mr. Serjeant Best said, that the right of petitioning was the dearest and most va-

uable privilege of the people, but in proportion as it was clear and valuable, the House should evince an anxiety to preserve it from abuse. It was easy to get hundreds and thousands, and even millions of petitioners, if one man were suffered to represent others, and subscribe any names he might think proper. The House was also bound to protect itself from insult, by not receiving several of the petitions on the floor, asserting, that the House did not represent the nation, that taxes were tyrannical impositions, and many such violent and insulting expressions.

Sir C. Monck could not agree with the learned serjeant, that it was a gross insult to the dignity and authority of the House, for one man to affix the names of other persons to petitions, if duly authorized to do so.

The Speaker was again called upon to state the rules of the House. The House had frequently refused petitions on the sole principle of their having names affixed to them not written by the persons themselves, and it was an established rule that no name should be affixed by any other person to a petition to the House, unless the person whose name was so affixed, happened to be out of the realm, and had sent a full and legal authority to another to subscribe his name.

Lord Cochrane observed, that sheets for signature, without any petition or address attached to them, were now sending round, as it was said by persons in office. It had been offered to prove at the bar of that House in what way the majority of its members were returned.—

The Speaker reminded the noble lord, that he was not speaking to the question. He might show his ingenuity by bringing the same topics before them in various shapes, but he must see he was striving against the feelings of the House.

Lord Binning thought it probable the hon. baronet in bringing in the 5 or 600 petitions as he found them in the vote office, had only wished to save trouble to the House and himself, but had he given himself time to think on the subject, he would have seen that it was due to the House first to examine them. In a day or two, he and other gentlemen who acted with him, might have looked into them so far as to discover what could or could not be received by the House—what were petitions, and what addresses to the Prince Regent.

The motion for the adjournment of the

proceedings on the petitions was then put and carried.

HOUSE OF COMMONS.

Tuesday, March 4.

PETITIONS COMPLAINING OF CRUEL- TIES INFLICTED AT SAINT DOMINGO.]

Mr. Sharp presented the following Petition;

“To the honourable the House of Commons;—the humble petition of James Davison,

“Sheweth.—That your petitioner is a British subject, and that he has lately been established, as a merchant, at Cape Henry, in the island of St. Domingo. He sailed from that port about the 1st of December, 1815, for Port Plata, a place in the north of the Spanish part of the island. Upon arrival there a few days afterwards, he found the ship *Lady Gambier*, James Reid, master, from Belfast, anchored in the harbour. After delivering some letters and papers to your petitioner, captain Reid informed him, that, in case of need, he was directed, by the instructions of his owners, to apply to your petitioner’s house for any assistance he might require in the prosecution of his voyage and the promotion of their interests. He stated that the principle object he had in view was to procure a cargo of mahogany and dye-woods, but that he found considerable difficulty in doing this, as these articles were extremely scarce. Your petitioner recommended him immediately to put on board the quantity of wood he had already purchased, to take on freight a quantity of mahogany belonging to your petitioner, to effect sales of the remaining outward cargo, and to invest the proceeds in the articles he wanted; if, however, he should not succeed in procuring a sufficient quantity, your petitioner recommended him to proceed to Port-au-Prince, the capital of the president, Petion, where he would be sure to find logwood and fustic in abundance.

“Captain Reid, upon finding the difficulty of loading his vessel at Port Plata with the articles he wanted, had resolved to adopt this latter suggestion given him by your petitioner, and to proceed to Port-au-Prince as soon as possible to complete his cargo. But a short time after he was obliged to suspend his resolution in consequence of receiving an account from the city of St. Domingo, that

the districts under the dominion of Petion were attempting a revolution in favour of Christophe, and that hostilities had actually commenced between the rival chiefs. However improbable such a statement might be considered by your petitioner, on account of the superior happiness and liberty enjoyed by the subjects of the republic, yet it was calculated to produce a considerable degree of caution and prudence in his advice to captain Reid, as he recollected that previous to his leaving Cape Henry, a secret expedition had sailed from that port against some part of Petion’s territory, with about five hundred troops on board.

“As this report, if true, would completely obstruct the plan determined upon by captain Reid, your petitioner resolved to return without delay to Cape Henry, in order to ascertain how far it was founded on fact, and promised captain Reid to acquaint him with the result of his inquiries. Upon his arrival at Cape Henry, your petitioner learned that the statement which had been circulated at Port Plata was entirely false; he found the vessels, which had carried the troops on the secret expedition, had returned, and conveyed the information relative to that event in a letter to captain Reid, couched in the following terms—‘King Henry’s expedition against the south side of the island has been completely unsuccessful; his vessels have returned here, after having been frequently chased by those of Petion, and the troops, upon landing at Jeremie, immediately went over to the opposite party. You may now therefore go round to Port-au-Prince without any danger whatever. I understand the price of logwood there is 17 dollars.’

“The letter of your petitioner contained a number of other remarks upon general business, and was forwarded to captain Reid at Port Plata, by a small sloop, which your petitioner had engaged for the express purpose. About ten days after the sloop returned, having been unable to beat so far to windward as Port Plata, in consequence of the prevalence of strong easterly gales. The master declined attempting the voyage a second time, and returned the letter in question to your petitioner.

An express, sent overland by captain Reid, arrived at Cape Henry a few days after, with letters for your petitioner, expressive of the greatest anxiety for his safety, produced by his silence, and their

ignorance of his arrival; and earnestly requesting the information which he had promised, previous to his departure from Port Plata, to transmit. Your petitioner immediately repaired to the office of the baron de Dupuy, the government interpreter, with the letters which had been forwarded by the sloop and returned. Your petitioner requested the baron to sign them in due course, as it was his intention to forward them by express overland. No letters are allowed to pass the lines between the Spanish and Independent part of the island without this formality. Baron Dupuy said, that, according to orders he had lately received from his majesty, he could not affix his signature to any letter sent to his office, without first reading it, and requested the letters might be left.

"About an hour after this the under interpreter waited on your petitioner, and requested him to accompany him to the governor's house, where he accordingly went. There he was conducted to an inner room, in which were the governor and the baron Dupuy. The latter, addressing your petitioner, said, he had called him before the governor in order to oblige him to give up his authority for the information conveyed in his letter to captain Reid, viz. "That King Henry's expedition against the south side of the island had been completely unsuccessful, &c." Your petitioner replied, that his authority was the current report of the town, and that the failure of the expedition had been a topic of common conversation both among the foreigners and the inhabitants. Your petitioner said, that his reason for mentioning it to captain Reid was, to efface the impression of a false report which had been circulated at Port Plata, and which greatly interfered with his future commercial transactions; and that he would not be able to fulfil the object of his voyage without receiving the information alluded to, for the conveyance of which captain Reid had sent an express. Baron Dupuy asserted, that the passage under consideration was political and not commercial, which assertion your petitioner endeavoured to rebut, by showing the application of it to the transactions already mentioned. Baron Dupuy still insisted upon having your petitioner's authority for the report, and after some farther explanation and representation on the part of your petitioner, who declared he was unable to give up any particular au-

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thority, he was conducted to prison by one of the governor's officers.

"Your petitioner, upon entering the gaol, was confined in a vaulted cell appropriated to the state criminals, strongly bolted and locked, and lighted only by an aperture in the door. The gaoler visited your petitioner the next morning, Sunday, January 21st, 1816, about eleven o'clock, after receiving his instructions from the baron Dupuy. He was accompanied by some guards carrying fetters and instruments of torture. He informed your petitioner, that his orders were, to put him in irons, and that it would be useless to resist, as his attendants would enforce compliance. The leg and feet irons, generally used in that country, were then applied, and afterwards rivetted to a fifty pound weight with the assistance of a sledge hammer. Having thus rendered your petitioner incapable of resistance, they proceeded to inflict the farther punishment of torture by thumb-screws. These instruments they fixed on your petitioner, and screwed them together with the greatest violence, until the pressure on the joints prevented the vice from farther operation. They then left your petitioner, and he was visited a few minutes after by the governor, who, in the course of his prescribed duty, came to see that the gaoler had performed his task. Your petitioner, writhing under the most acute pain, addressed the governor in terms of entreaty for the removal of the screws; but finding him deaf to his application he appealed to his feelings and humanity for at least a relaxation of them. Even at this time, though so shortly after their application, your petitioner's thumbs were prodigiously swollen. The governor heard your petitioner's entreaties and remonstrances with indifference, and quitted him without making any reply.

"About seven o'clock in the evening, your petitioner was visited by the deputy gaoler and some guards who stripped him of all his clothes, with the exception of his shirt. They left at his side a pitcher of water and half a cake of cassada.

"In this situation your petitioner remained from 11 o'clock on Sunday morning, until one o'clock Thursday noon. It would be a vain attempt to describe the excess of agony which your petitioner endured during that interval. The only nourishment he took was a draught of water in the morning, and evening, when visited by the guards in their usual rounds.

for the examination of the different cells. As he was incapable of stirring, he was obliged to solicit one of them to apply the pitcher to his lips. The cassada bread remained untouched the whole time. The exquisite pain your petitioner endured, the length of time he had suffered, combined with the intense heat of the climate, and the closeness of his cell, at length produced a considerable degree of fever, which threatened a termination to his existence. His debilitated state was noticed by the gaoler, who made a report accordingly to the governor. He was afterwards visited by the prison doctor, who gave his opinion that your petitioner could not suffer longer without endangering his life. In consequence of this, the leg-irons, and thumb-screws were removed about one o'clock Thursday noon. Your petitioner was detained in prison for nine days longer, and was at length released in consequence of the frequent and spirited remonstrances made by his countrymen to King Henry, through the medium of his interpreter.

"Your petitioner begs leave to represent to your honourable House, that, in consequence of this treatment, his thumbs were in a very mangled condition, and apparently in a mortified state for some time after the infliction of this cruel punishment; and he believes that if nature had not blessed him with an unusually strong and robust constitution, he could not have survived the torture he endured.

"Your petitioner humbly declares that he makes this representation to your honourable House, not so much from feelings of revenge for the injury that he has individually sustained, as from a sense of the indignity which has been offered to him as a British subject. Yet, however, humble and insignificant he may consider himself in his private capacity, he has imbibed a conviction from education and observation, that the enlightened spirit which pervades the sacred laws of his country, proclaims to the whole world, that 'an injury done to the meanest subject is an insult to the whole nation.'

"Your petitioner therefore humbly prays, that your honourable House will take into consideration the circumstances detailed in this humble petition, and that your honourable House will take those measures, which in your wisdom shall appear necessary to redress the injury he has sustained, and to teach the rising power which has committed this outrage,

the respect which is due to a British subject. And your petitioner, as in duty bound, shall ever pray,

"JAMES DAVISON."

Mr. Sharp also presented the following petition from S. Marsom:

"To the honourable the House of Commons.—The humble petition of Sam. Marsom,

"Sheweth,—That your petitioner resided in Cape Henry, St. Domingo, in the months of January and February, one thousand eight hundred and sixteen, during the whole time of the confinement of Mr. James Davison, in the common gaol of that place, by order of the government of king Henry; that your petitioner was one among several British merchants, who, after the confinement of Mr. James Davison, waited upon the baron de Dupuy, the government interpreter, to remonstrate through him to the king respecting such a proceeding, and that he believes the baron de Dupuy, according to his promise to the said merchants, did communicate their representations to the king, who never took any notice of them, nor of their entreaties for his release. And your petitioner humbly sheweth, that none of the British merchants resident at Cape Henry, were at all aware of the cruelty inflicted upon the said Mr. James Davison, during his confinement, until his final liberation; and that your petitioner, as well as all his countrymen were struck with astonishment and dismay, when they beheld the mangled state of the said Mr. James Davison, produced by his having suffered the torture of the thumb-screws; and that in consequence of this act of barbarity inflicted upon their countryman, they entertained the strongest apprehensions for their own safety; as they themselves being satisfied of the truth of the objectionable assertion, could not look upon the cause of this severe punishment in the light of a crime, but merely, to use the strongest language of which the case would admit, of an inadvertency or imprudence on the part of Mr. James Davison.

"And your petitioner humbly represents to your honourable House, that the British merchants established at Cape Henry, thought it necessary for their future safety, that a representation of this act of barbarity, which had so nearly proved fatal to their countryman, should be laid before their own government; and your petitioner humbly sheweth, that pre-

vious to his departure from Cape Henry, he was deputed by the British merchants resident there, to make this representation to his majesty's government as soon after his arrival in England as possible; and that your petitioner did pledge his word of honour to disclose to his own government the circumstances attending this outrage, and to solicit in their names, that his majesty's government would graciously condescend to take the affair into their consideration, and to demand some satisfaction from the government of Cape Henry, for the cruel violence offered to their countryman, in order to prevent a recurrence of similar barbarities. And your petitioner humbly sheweth, that since his arrival in England, he has had the honour of laying before his majesty's principal secretary of state for the colonial department, a full and true account of this outrage committed on the person of Mr. James Davison, and that having received no answer to his representation, he conceives that he is bound by the trust which has been reposed in him, and by his honour which he has pledged, to make this application to your honourable House in behalf of himself and the British merchants established at Cape Henry.

"Your petitioner humbly assures your honourable House, that his majesty's subjects who reside in Cape Henry, yield to none of their countrymen in unshaken loyalty, and in the most ardent attachment to the glorious constitution of their native country; that their love of liberty, of justice, and of natural right, is unalterable by distance or by climate; and that while prosecuting commerce with the characteristic enterprise of British merchants, and yielding obedience and respect to the laws of the country where they reside, they persuade themselves that they may look with confidence to the powerful protection of their own government. Your petitioner is aware that the government which has committed this outrage upon the person of Mr. James Davison, has never been acknowledged by his majesty's government; but he states, with great humility, to your honourable House, that vessels are cleared out from his majesty's custom-houses for the ports in the independent part of St. Domingo, which, in his opinion, constitutes the trade to that place lawful; and that, under this sanction, great numbers of his majesty's subjects are settled in that island, and carry on an extensive trade, which must be highly advantageous to Great Britain.

"Your petitioner humbly assures your honourable House, that his majesty's loyal subjects established in Cape Henry, look with the greatest anxiety and solicitude to the result of the representation which has been made to your honourable House by Mr. James Davison; and your petitioner humbly craves the attention of your honourable House to the unfortunate situation of those Englishmen, who, if abandoned by the protection of his majesty's government, will be left at the mercy of a power, which, from the instance now laid before your honourable House, is too much disposed to treat them with undeserved and arbitrary violence.

"Your petitioner therefore humbly prayeth, in his own name and in the name of the British merchants resident at Cape Henry, that your honourable House would be pleased to take into consideration the humble petition of Mr. James Davison, respecting the cruelty inflicted on him by the government of Cape Henry, St. Domingo; and that your honourable House would be pleased to adopt those measures, which in your wisdom shall appear expedient, to redress the injury he has suffered, and to insure the future safety of his majesty's subjects who arrive in that part of the world. And your petitioner, as in duty bound, shall ever pray,

"SAMUEL MARSON."

These petitions were read, and ordered to lie on the table.

PETITIONS RELATING TO REFORM, &c.] Mr. Brougham said, he held in his hand a petition, praying for parliamentary reform and retrenchment, and complaining generally of grievances, signed by 2,736 inhabitants of the parish of St. Leonard, Shoreditch. The petition prayed generally for such reform as might seem most agreeable to the House. It was signed by most of the respectable householders of the parish. He had to state to the House, that very considerable obstructions had been thrown in the way of the signing this petition, though he did not mean to say that force had been used to prevent persons from signing. One person had made himself most active on this occasion—he was a police magistrate, a person receiving money from government. The House ought to be extremely jealous of the interference of persons in such a situation to prevent the people from exercising their rights. The individual who had used his utmost efforts to impede the

people from petitioning, was well known for his zeal on the opposite side of the question—he was the well known Mr. John Gifford. This magistrate had applied to the rector of the parish, to induce him to refuse the use of the vestry-room for receiving signatures to the petition, and this application was successful. Many other efforts were made by persons, who were supposed to be agents of this magistrate and others, to obstruct the petitioners in the exercise of their rights. Finding, however, they could not prevent, by the means used by them, a number of persons from resorting to the place where the petition lay for signatures, they sent persons not resident in the parish to sign it, that they might take this objection to the petition. These signatures, were mostly written by one hand. In consequence of this attempt, one sheet was actually obliged to be withdrawn from the petition. He thought it right to mention this circumstance, that the animadversion which it could not fail to call forth, might prevent those persons, and others similarly disposed, from being active on future occasions.

Lord *Cochrane* said, he held in his hand a petition from the incorporated trades of the borough of Irvine praying for parliamentary reform. Seeing the learned lord advocate of Scotland in his place, he wished to ask him, whether the information which he had formerly stated was correct or not, namely, that the schoolmaster and another individual at Glasgow, who were taken up and confined two nights and two days in a dirty place, with a damp unwholesome floor, had been discharged, there being no foundation for any charge against them?

The *Lord Advocate* said, he could have no difficulty whatever in stating, that the persons taken up at Glasgow had not been taken up for having convened together for the purpose of considering as to the mode in which parochial relief might be obtained. They had been taken up on a charge of treasonably conspiring against the government. It would be improper in him to state to the House what discoveries had been made against any of the individuals arrested—it would be improper towards the individuals themselves, as it might create an impression against them in the public mind, and it would be improper with reference to the carrying on the public business of the country. With respect to a question put to him the other

night whether the oath read by him to the House was one of the papers which was found on the persons arrested: he could not give an answer to it without prejudging the cause of those individuals and doing that which was contrary to the principles of British justice. The magistrates were in possession of evidence which proved that parochial relief was a subject which never had been agitated at any of the meetings.

Lord *Cochrane* said, that the learned lord had not returned an answer to his question.

The *Lord Advocate* stated, that he had received no information whatever, whether all or any of the persons taken up, on the charge of a treasonable conspiracy, were liberated or not. But he knew the magistrates would not detain one moment any person against whom there was no foundation of a charge. But he had received no information on the subject.

Mr. *Brougham* could not help thinking that the learned lord had not understood the question put to him by the noble lord. The learned lord had very properly deprecated all prejudging of the question of the individuals taken up, and stated that an answer to the question, whether the oath was one of the papers found on these individuals would be prejudging their case. But in the question of the noble lord there was nothing about any papers or oath, but whether it was true or not, that the persons arrested had been in fact discharged.

The *Lord Advocate* stated, that he had received no information whatever to enable him to answer the question of the noble lord.

Sir *F. Burdett* said, he had received a letter from Glasgow, informing him that the persons apprehended, and afterwards liberated, had been taken up on the evidence of spies. In this letter it was said, that a spy came lately into a room, where the writer of it, and some other persons were assembled, and declared that a king was of no use. The person using this language was taken before a magistrate, when it turned out that he was a hired spy, and the person who had him taken up was told that if he did not leave the court instantly he should be put into prison. This spy called himself a loyal man. This put him in mind of Mr. John Gibbs, who when he had incurred a heavy penalty for an offence against the excise laws, pleaded that he was a loyal man, and this was found an efficacious plea. Mr. Limbrick, the police

officer, too, the other day was accused of violently treating a boy for pulling down a hand-bill, put forth by police agents against Mr. Hunt; the boy was sent to gaol, and did not appear very likely to obtain redress. Mr. Limbrick's defence of himself was only that he was a very loyal man, and attached to his king and country. This sort of declaration of loyalty appeared calculated to cover as many sins as charity. The petition was ordered to lie on the table.

Lord *Cochrane* wished to know, whether he might present at once a number of petitions which he held in his hand?

The *Speaker* said, that the indulgence which it was the practice of the House to grant with regard to the presentation of many petitions at a time, was very indefinite. If the member who presented them could take on him to state that they were all precisely in the same terms, it had been sometimes the custom to receive seven or eight at once; but if there were any variations in them, it was the safer and the better course to present them one by one.

Lord *Cochrane* said, he would present them separately. He then presented a petition from Grooby, which, he observed, was nearly in the form of others which had been rejected by the House, but the words which had been deemed most objectionable had been left out.

The petition was read. It stated, among other things, that the House did not, in a constitutional manner, represent the people, and prayed for universal suffrage and annual parliaments.

Lord *Castlereagh* said, he did not know what words had been left out of the petition, but he imagined there could not be any more objectionable than those which remained, viz. the sentence which stated that the House did not in a constitutional manner represent the people.

Sir *F. Burdett* said, it would be more satisfactory if, on the rejection of a petition, it were understood what were the words really objected to. In the present instance, the petitioners asserted that the House did not represent the people, which was the grievance they complained of, and without asserting which it was in vain for them to approach the House. The ground on which the House rejected petitions in general was, that the petitioners, instead of stating their grievances plainly, went out of their way, and inserted words which might be offensive to those who heard them. Such an objection could not be

taken to the petition before them, for the words of it were as inoffensive as might be, it merely stated the grievance they had to complain of, and prayed that that grievance might be remedied by a constitutional representation of the people.

Lord *Binning* said, he did not pretend accurately to recollect the words of the petitions formerly rejected, but as far as his memory went, the ground on which they were rejected was, the assertion that the House did not represent in a constitutional manner the people of England.

Mr. *Brougham* denied that the expressions were the same as those used in a former petition which was rejected. In that former petition it was said, that the House of Commons, in no legal, rational, or constitutional sense, represented the people. He did not defend the correctness of these words, although he had voted for the reception of the petition in which they were contained; but he thought there was so wide a difference between them, and those used on the present occasion, that hon. members who were for the rejection of the former might consistently agree to receive this. When it was said that the House did not legally represent the nation, the phrase might be construed to imply, that it had not the power to make laws to bind the people; but when it was stated that the representation was not constitutional, it was merely a mode of declaring that there had been departures from the constitution, which ought to be corrected by bringing it back to its former purity. In short, it was nothing else but a way of stating the argument for reform. He did not think the argument was skilfully stated when conveyed in this language; but it ought to be recollected, that the petitioners were not learned clerks, and could not be expected to speak on abstruse subjects with perfect strictness and technical precision. The question was, not whether they were formally correct in their expressions, but did they mean by these expressions to insult the House? If they did not (of which there was no evidence), their taking their own way of stating their own argument should not be made the ground of rejecting their petition. He wished rather to throw open the door to the prayers of the people, than to shut it. It was much better to receive a petition couched in loose, and incorrect language, where no disrespect was intended by it, than to incur the imputation of cavilling with the expressions and disregarding the complaints of the people.

Mr. *Bathurst* concurred with the hon. and learned gentleman, that the doors of the House should be thrown open to petitions, and that there should be no cavilling or scrupulous examination of the language in which they were conveyed, so as to find out insults or disrespect. The House had acted on this principle, and had extended to petitioners every indulgence. It had heard from night to night charges of corruption. This allegation, which was now objected to, however, was not a matter of feeling, but a challenge of competency. The hon. and learned gentleman had allowed that he would object to a petition which averred that the House of Commons did not legally represent the nation, but the word constitutional, here used, was exactly the same thing. If the House did not constitutionally represent the people, its sitting was unconstitutional, and its acts were not binding, nor could it legally impose taxes. He, therefore, would oppose the reception of the petition, as impeaching the power of the House, and denying its title to exercise its functions, particularly the important function of taxation.

Mr. *J. W. Ward* said, that if it were once received and acknowledged that the House did not in a constitutional manner represent the people, it must also be allowed that it existed in contradiction to the law. What might be inferred from this was pretty plain, and indeed the inference was actually made by some of the petitioners. His hon. and learned friend had said that considerable allowance was to be made for unlearned men and simple persons, and so on. Now, if they looked at the uniformity of these petitions, and the manner in which they were drawn up, they must be convinced that they were not the productions of simple and unlearned men, but were penned by "learned clerks," who knew pretty well what they were about when preparing them.

Mr. *Calcraft* thought the petition could only be considered as an expression of the opinions of the petitioners as to the state of the representation. That the House virtually represented the people, the petitioners acknowledged, by applying to the House for the change in the representation which they desired. He thought the petition, therefore, should be received as an expression, perhaps foolish, perhaps absurd, but not dishonest, of the petitioners' opinions.

Mr. *Wynn* observed, that the petition before them called the debates of the House

protracted and useless, though the word disgusting was omitted.

Mr. *Lambton* read a part of the petition which had been presented from Bristol, on the first day of the session, and received by the House. That petition stated, that the House represented in no constitutional or rational sense the people of England—that the constitution was subverted, and that taxation without representation was slavery. It also stated that the debates of the House were a mockery, and only served to weary the public patience. Another petition, which had been received, said, "If the House had been really the representatives of the people, instead of being the tools of a grasping oligarchy of borough-mongers, &c." As the House had received petitions containing such words as these, it could hardly with any appearance of consistency reject a petition so much less offensive, as that on the table was.

Mr. *Vesey Fitzgerald* said, that the statement of the hon. member was one of the best arguments for the rejection of the present petition, as it showed the extent to which insults on the House would be carried, if once admitted by them. If there were precedents for the admission of such petitions, there were also precedents for their rejection, and the House would judge whether it was not wiser to assert its own dignity, than to submit to reiterated insults.

The petition was rejected.

GAME BILL.] Colonel *Wood* said, that in rising to move for leave to bring in a bill for the purpose of altering a branch of the Game laws, of which he gave notice on a former evening, he should confine himself to a brief explanation of the object he had in view. By the 28th of Geo. 2nd, it was made illegal for any person to sell game. He wished to repeal that act, in order to place this branch of the game laws on a different footing. When he introduced a similar bill last session, it was facetiously said, that it ought to be intitled a bill to encourage poaching; but, if he thought it would facilitate that most pernicious practice—if he were not convinced that it would tend to put it down—he never would have introduced the bill. His great object was, to put down, not to augment, an increasing evil, which first initiated the British peasantry into the commission of crimes. The act to prevent the sale of game was not as ancient as the game laws; it was,

comparatively, of modern date; and it had completely failed to produce the intended effect. By the 5th of Anne, higlers, chapmen, carriers, inn-keepers, and victuallers, were restricted from selling game. But, by the act of the 28th of Geo. 2nd, the game-keepers of lords or ladies of manors were prevented, under a penalty, from selling game, without the consent of their employers; but, having obtained that consent, they were at liberty to sell. The 28th of Geo. 2nd, which was an isolated act, unconnected with the general body of the game laws, extended the meaning of the word "chapman" to all persons, qualified or not, who sold game; and it contained a clause which was considered by the preservers of game of very great importance, namely, that where any game was found in the house of a person not qualified, it should be considered as exposed to sale, and the convicted party should be subject to a penalty. This clause might be supplied by a provision in the 4th and 5th of William and Mary, if the operation of that act were not prevented by the 28th of Geo. 2nd. In the act of Wm. and Mary, where game was found in the possession of an unqualified person, he was obliged to state, on oath, the manner in which he became possessed of it. This, he conceived, would be a sufficient protection for the preservers of game. If the House agreed to the repeal of the 28th of Geo. 2nd, he should then move for leave to bring in a bill to enable certain persons to sell game. The hon. gentleman concluded by moving, "That leave be given to bring in a bill to repeal the act of the 28th of Geo. 2nd, and to make other provisions relative to the sale of game."

Sir C. Burrell differed entirely from the hon. member, and regretted that he had again brought forward a measure which so entirely failed last session. If the present system of the game laws were unsettled it might be found difficult to settle them again. He thought the better way would be to appoint a committee, consisting of a few sensible and legal men, to inquire into the subject, and then, perhaps, something might be done. He, however, considered the existing system as highly beneficial, because it induced gentlemen of property to live on their estates; and as the present measure seemed calculated to destroy that bond of union which subsisted between them and their tenants, he should feel it his duty to divide the

House upon the question of bringing in the bill.

Mr. G. Bankes was surprised that the hon. gentleman, who was so partial to the preservation of game—who knew so well that the sports of the field induced gentlemen of fortune to visit their estates frequently—should have introduced a measure which would have the effect of increasing the practice of poaching in a ten-fold degree, so long as any of those species of animals, recognized by the game laws, continued to exist. The system which he spoke of as modern, was three hundred years old, and therefore was supported by the wisdom and experience of their ancestors. In the reign of Henry 8th an act was passed prohibiting all persons, except members of the royal household, from selling game. That act continued in force till the time of James 1st, when the prohibition was extended to persons of every class and degree. The game laws might, not unaptly, be compared to an old park-fence; which, though it was somewhat irregular in its form, answered all the purposes for which it was intended, although it might not please the eye so much as a neat fence, which was often less useful than ornamental. He denied that the game laws were made exclusively for the rich, and contended that the system generally contributed equally to public happiness and public good. If it were thought necessary to make any alterations, he would suggest whether increased penalties might not deter from poaching, and also, whether it would not be prudent to inflict a penalty upon qualified persons who purchased game.

Mr. Curwen was astonished, considering the tenour and spirit of the game laws, how the hon. gentleman who had just spoken could interpret them favourably. From beginning to end they were opposed to every thing like English liberty—they were most unjust, and most impolitic. He wished they were done away altogether, and a different system introduced. It would tend to promote the growth of game, and to extend the sports of gentlemen. He would be better pleased, if a bill were brought in to punish the wealthy buyer of game, instead of the miserable retailer.

Mr. Long Wellesley thought, that the game laws should remain untouched. There were rights of forest and rights of chase, which were very valuable, but which would be affected by any alteration.

Sir *F. Burdett* agreed, that if any punishment were to be inflicted, it ought to fall on the wealthy man, and not on the poor tool whom his riches had seduced into an illegal act.

Mr. *Wynn* recommended that some regular and connected system should be adopted, and that the House should not resort to temporary measures.

Colonel *Wood*, in reply, observed, that he did not wish to go back to those good old times of Henry 8th, as some seemed to think them, when it was necessary to have a licence to shoot crows. It was certain, that at present pheasants were to be bought and sold in almost every poulterer's shop. He hoped that the House would allow the bill to be brought in and printed, and afterwards they could alter its provisions as they pleased.

The House divided:—For the motion 46. Against it, 34. Leave was accordingly given to bring in the bill.

RENEWAL OF COMMISSIONS ON THE DEMISE OF THE CROWN.] Mr. *Ponsonby*, in rising to make the motion of which he had given notice, called the attention of the House to the legislative provision which had been made for continuing the parliament in the event of the demise of the Crown. On such occasions formerly a dissolution of parliament always took place, and all offices held under the Crown were no longer considered to belong to those who had previously possessed them. By the 7th of William 3rd, and afterwards by the 5th of Queen Anne, the inconvenience which had been experienced from the dissolution of the parliament at such a period, was removed, and it was enacted, that the parliament in being at the time of the demise of the Crown should continue to sit for the ensuing six months, unless they were sooner dissolved by the successor; and in the event of their being no parliament at the time of the demise of the Crown, the last parliament was again to assemble and continue to discharge its functions for the succeeding six months, unless sooner dissolved by the successor to the Crown. In like manner, by law, the privy counsellors and all the high officers of state, did not lose their offices on the demise of the Crown, but continued to hold them till the successor was pleased to make some alteration. It was his object to extend the provisions of those laws to all offices held under the crown, civil as well as military. There

never could be a time at which such a measure could be more properly brought forward than the present. In ordinary times there might appear something indelicate in bringing such a measure before the sovereign himself, but no difficulty of this kind at present stood in the way, as the bill he proposed to bring in, could not effect the feelings of his majesty, and therefore no such objection could be opposed to his motion. At present, though they knew who was most likely to succeed to the Crown, they could not positively know who would actually succeed, nor could they tell who the successor might choose for his constitutional advisers. This, therefore, was no party measure; but one which, in the present circumstances of the country, he thought was particularly called for. He wished those holding the situations of lord lieutenants, deputy-lieutenants, governors, deputy-governors, and all officers in the army and navy, not to be subjected to the expenses formerly attendant on getting their commissions renewed, if it were the pleasure of the Crown to retain them in their offices. He wished them to continue to hold their situations as if the demise had not taken place. If the House would let him bring in the bill, he would move that it should be read a first time, and then name any day that the House might approve for the second reading. He then moved, "That leave be given to bring in a bill for the continuation of all and every person or persons in any and every office, place or employment, civil or military, within the united kingdom of great Britain and Ireland, dominion of Wales, town of Berwick-upon-Tweed, Isles of Jersey, Guernsey, Alderney, and Sarke; and also in all and every of his majesty's foreign possessions, colonies, or plantations, which he or she shall hold, possess, or exercise, during the pleasure of the Crown, at the time of the death or demise of his present majesty, until removed or discharged by the succeeding king or queen of this realm."

Lord *Castlereagh* said, the course proposed by the right hon. gentleman was so fair, that he could have no difficulty in giving his consent to the bringing in of the bill. He would not debate its merits now, as a more convenient opportunity might occur for the discussion of them on the second reading. He wished to be understood as only concurring in its provisions, so far as they went to guard

against any extraordinary pressure of business at such a time on those whose duty it might be to exercise the highest functions of the state.

Mr. *Brougham* observed, that the present question afforded him an opportunity of alluding to a subject which he thought deserved the serious consideration of his majesty's ministers. Previously to the dissolution of the present parliament, he was of opinion that some prospective measure ought to be adopted with respect to the continuance of the ensuing one, in the event of the early demise of the Crown. He was aware, that for parliament to prolong its own existence was unconstitutional, but the peculiarity of the case, he apprehended, would justify some step being taken to prevent the necessity of immediately re-electing the next parliament upon the demise of the Crown, which must otherwise be done.

Leave was given to bring in the bill. It was afterwards brought in, read a first time, and ordered to be read a second time on the 14th of April.

[LUNATIC POOR IN IRELAND.] Mr. *Peel*, in an animated speech, called the attention of the House to the distressed state of the Lunatic Poor in Ireland, from the want of proper asylums to receive them. In Dublin there was one institution open for their reception; there was another of this description in Cork; one or two other counties had similar asylums for the reception of the lunatic poor; and there was one in Tipperary, which contained about forty persons. With the exceptions of the institutions of Dublin, Cork, and Tipperary, there was not provision made for more than a hundred persons in this unhappy state in all Ireland. In consequence of this it had become a common practice to bring unfortunate creatures to the door of the institution in Dublin, and there leave them in the most deplorable state, without ascertaining whether or not it was possible for them to be received. In consequence of the report made by gentlemen appointed to investigate the state of Ireland in this respect, he had determined to inquire into it himself, and the result was, he had found, that in twenty four counties in Ireland, not a single cell was provided for the reception of lunatics. It must be felt, that it was not right these unhappy beings should go abroad free from restraint, yet this was, in many instances, the case,

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where they could not be sent to the Dublin institution. Some provision for such cases, he was of opinion the House would agree with him, ought to be made. He would therefore move, "That a committee be appointed to inquire into the expediency of making further provision for the relief of the Lunatic Poor in Ireland."

Mr. *Wynn* seconded the motion. He said, that considering the great number of valuable members who were by neglect lost to society, it was a most prudent measure to provide for lunatics; for leaving out of view every feeling of humanity, it was an economical proceeding to erect lunatic asylums, as they might be the means of curing, and thus preserving to the community many persons who would otherwise lead a life burthensome to themselves and injurious to society.

Mr. *Rose* felt great satisfaction in giving his support to the measure now proposed. Nothing, he observed, could be more lamentable than the state of the lunatic poor in Ireland. Except in Dublin, Cork, and one or two other places, there actually did not exist the least accommodation for such persons throughout Ireland, and in transmitting these poor creatures to the general infirmary, there were some instances of their limbs having been so injured, by being tightly bound down in the vehicles in which they were brought to town, as to render amputation of the limb necessary. Those in a state of idiotcy were the subject of public sport amongst children, while the unruly maniacs were suffered to go about the country, the terror of the neighbourhood in which they resided.

Mr. *Baring* agreed, that there could be but one opinion on the subject; but there were many counties in England, as Hampshire for instance, in which there was no receptacle for lunatics. If, however, provisions were made for the accommodation of lunatics in Ireland, he hoped the expense would be borne locally by the counties, and not by the nation at large. It had been called a matter of congratulation that there were no poor-laws in Ireland; and that afforded a stronger reason why the expense of providing for lunatics should be local.

Mr. *Rose* stated, that in England the overseers of parishes were obliged to provide for lunatics, and find a place of proper reception for them; and that a bill was now about to be passed, to render the jurisdiction of magistrates more effectual in this respect.

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Mr. *Peel* said, that there had been added an establishment called the Richmond Lunatic Asylum, to the House of Industry in Dublin, which was most convenient as a district establishment; but from the opinion prevalent that there was thus created abundant accommodation for all the Irish lunatics in Dublin, it had occasioned many more to be forwarded than could be possibly accommodated.

Mr. *Croker* said, that ever since he had the honour of a seat in that House, he had declared himself anxious to obtain for Ireland an identity of legislation with Great Britain; but still he entirely concurred with the right hon. gentleman, and would support his motion.

The motion was then agreed to.

HOUSE OF COMMONS.

Wednesday, March 5.

SCARCITY OF PROVISIONS IN IRELAND.] Mr. *Maurice Fitzgerald* said, that in moving for an inquiry into the amount and state of human food in Ireland, with a view to ascertain whether or not it might be expedient to prohibit distillation in that country, it was far from his intention to embarrass government in any respect, by proposing any measure, the tendency of which would be to produce a diminution of revenue. He was aware that inquiries of this nature, were in general calculated to excite very serious apprehensions in the minds of the people, and, perhaps, to aggravate the evil they were intended to remedy. But there had occurred some circumstances in Ireland of so unpleasant a nature, that he conceived an inquiry of the nature now proposed to be absolutely necessary. It was with satisfaction he had lately heard in the House, that the government had no reason for supposing the existence of any political disaffection in Ireland; and he was convinced that the reasons for excepting Ireland from the suspension bill were well founded. Riots, however, of a very serious nature had lately taken place in Ireland, and at one place in particular where provisions were lower than at most others, Ballina, four persons were killed the other day, and seventeen wounded. The disturbance had its origin in severe distress, and in an apprehension that by any exportation of the food they possessed to other places, they would themselves be subjected to famine. This might be a mistaken idea, but he was convinced that

it had alone given rise to the disturbances. At this early period of the year, so long before any relief could be expected from the next crop, any deficiency in the supply of food was a calamity of a most serious nature. When he considered that no supplies could be obtained from this island—that in England the crop had been very deficient, and that Scotland had suffered most severely—when he considered that in Ireland the crop was deficient not only in quantity but in quality also—that the potatoe crop, that most important part of the food of the people in Ireland, had not only been deficient in quantity, but of such a quality that it was found impossible to preserve it—it became of the utmost importance to inquire what the amount and state of the food in Ireland actually was, that every practicable measure might be taken to guard against the evils which would result from a deficiency of supply. He should not have ventured on recommending this measure, had he not been informed by many most respectable persons in Ireland, some of them members of that House, that the supply of food in Ireland was so inadequate, that the most serious consequences were to be apprehended if means were not immediately resorted to for the purpose of averting them. The object which he had in proposing this inquiry was two-fold—the one was that a stop might be put to the distillation of grain; and the other, that government at an early period, while it could be done with advantage, might make such purchases, either at home or abroad, as would ensure to the people in Ireland an adequate supply of food during the summer months. No person was more unwilling than himself that government should interfere in a subject of this nature—the interference of government was, he believed, generally mischievous. The question was, whether the present occasion was such as to form an exception to the rule, and imperiously to call for the interference of government. On former occasions government had thought proper to interfere, and to give orders for procuring from abroad a supply of food adequate to the deficiency. He alluded more particularly to the scarcities of 1800 and 1812. In both these years, government took precautions to avert the calamity of a famine. In 1800, lord Cornwallis, by sending orders to America at an early period of the year, provided against the emergency which he foresaw. That year oats were 16s. the

barrel. At present oats were 23s. the barrel. That year oatmeal was 22s. the cwt.; this year it was 28s. the cwt. In 1800, the crop though deficient in quantity was excellent in quality—so that the grower was not under the necessity of bringing it immediately to market; but this year the quality was so bad, that there was a necessity for forcing it prematurely into the market. He was aware that the government of Ireland had, at an early period, endeavoured to ascertain the state of the crop in Ireland; but when this inquiry took place, much of the crop was still on the ground, nothing of which could be got in, and the potatoe crop was chiefly on the ground.—With respect to the efficacy of the measure for prohibiting distillation, he did not wish to over-rate it. The distilleries must have worked pretty nearly the quantity of spirits requisite for the supply of the country. He might be told, that if they had distilled nearly the requisite quantity of spirits, little good could be expected from a prohibition to distil. But it was to be considered that the distillers had considerable quantities of grain on hand, which would, in consequence of the prohibition, be thrown into the market. He had good reason for believing that throughout a great part of Ireland there was not three months consumption of food such as the people used. If any thing was to be done in this matter, unquestionably the sooner it was done the better. The greater the delay, the higher would be the price. If the people were at present unable to purchase at the existing prices, what would their situation be when the price of provisions was doubled in amount? The provisions obtained to meet the deficiency of Ireland ought to be dispersed at a rate within the ability of the people. The rate of labour was at present extremely low in Ireland, and all the public works were at a stand. It might be supposed by some, that in calling for an investigation into the subject, from the time which would be taken up in the investigation, the object which he had in view would be defeated; but he was confident that the importance of the subject would force on a quick investigation. He concluded with moving, “That an humble address be presented to the Prince Regent, praying that he would be pleased to order a prompt investigation into the amount and state of human food in Ireland, with a view to determine whether it may be expedient to

stop the distillation from grain in that country.”

Mr. Peel was most willing to admit that there was nothing in the manner in which this subject had been taken up by the right hon. gentleman calculated to embarrass the government either of this country or of Ireland, or to produce an undue impression on the public mind; and that if by the agitation of the subject in the House, that sort of salutary apprehension should be produced which might lead to a more sparing use of human food, so far from being prejudicial it might be productive of considerable advantage. This was the very last subject respecting which government ought to suffer themselves to be unduly actuated by public impressions. Government ought not even to be actuated by the impressions of honest and well meaning men, who had not the same means of information as themselves. If they were satisfied that the stopping of the distilleries would not be productive of such advantages as would compensate for the mischief resulting from such a measure, they ought to resist it. He agreed with the right hon. gentleman, that if a stoppage of the distilleries could increase the supply of food, every consideration merely of a financial nature ought to give way. The loss of revenue, from the encouragement which would be given to illicit distillation by the cessation of legal distillation was not to be put in competition with the subsistence of the people. The two things to be considered were—1st, If there was reason to apprehend a deficiency in the supply of human food in Ireland; and 2dly, If there was reason for apprehending a deficiency, whether a prohibition of distillation would have a tendency to increase the supply. He thought he should be able to satisfy the right hon. gentleman and the House that a prohibition of distillation would not lead to the result which he anticipated from it. The question was not merely whether they would prohibit distillation in Ireland. The trade with this island was free, and consequently such a prohibition would give to the English distiller a preference in the Irish market. He might be told, indeed, that it was possible to stop also the intercourse between the two countries. But would it be expedient not merely to stop all legal distillation in Ireland, but also to suspend all intercourse between the two countries in articles the produce of either? But he would confine himself to the question, whether the

prohibition of distillation was likely to have the effect of leading to an increase in the supply of food. In the first place he would agree with the hon. gentleman, that the supply of last harvest was not so defective in quantity as quality. This was best proved by the variations in the prices of the same article. According to the last market note which he had received from Dublin, oats varied from 8s. to 32s. the barrel, wheat from 21s. to 92s. and barley from 14s. to 38s. If they were to deprive the small farmers of the market for their inferior grain, which could only be worked up in the distilleries, they would only aggravate the distress of the country. A very considerable portion of the food of last crop could not be converted into human subsistence. With respect to the probable savings of food from the stoppage of distillation, he would leave the House to judge what increase of supply could be expected from this source. The quantity of spirits distilled last year, in Ireland, on which duty was paid, amounted to 3,600,000 gallons. From the circumstances of the times by which all ranks high and low were affected, a diminution in the amount of this year was to be expected. The power of purchasing luxuries in high and low was abridged; though whiskey could not be considered in the light of a luxury to the lower orders. In that damp climate, and from long habits it was almost an article of the first necessity. By a return which would be laid before the House to-morrow, and which was brought up to the 5th of February, a complete month having since elapsed, it appeared that the quantity distilled this year amounted to 2,350,000 gallons. It appeared, therefore, that up to the 5th of February, two-thirds of the quantity of last year were already distilled; and he had not the least doubt, but that before the present motion could be acted on the whole stock of spirits would be made. For in any regulation affecting the distilleries, it would always be necessary to allow them to work up the quantity of grain bought by them, and unfit for any other purpose.—It should be borne in mind, in speaking of distillation from grain, that the whole of the corn so employed was not lost to the purposes of supporting life. It was calculated that four barrels of grains, after the spirit had been extracted, would go as far in that way as one barrel of corn, so that it might be reckoned, that one quarter of the grain so employed was

not lost to the purposes of subsistence, but went to increase the quantity of pork or milk, or other articles available to food. It should also be considered, that one of the evils attending the stoppage of the regular distilleries would be the stimulus thus given to illegal distillation, which would probably cause, on the whole, an increase of the consumption of corn. As a proof that no scarcity of grain was sufficient to put an end to this illegal distillation, he should only mention what had occurred in the north of Ireland, where the distress had been most peculiarly felt. In Ireland, he should observe in passing, a partial distress, however severe, was not indicative of a general scarcity, as might be proved by the difference of the prices in different parts of that island at present, they being actually double in some places what they were in others. This arose from the want of those facilities of internal communication which existed in this country, and also from the circumstance, that persons were generally in the habit of raising the food for their own families, whence there were none of those great markets so common in England. In the north of Ireland, where he had observed the distress was greatest, there were 200 prosecutions for what were called still fines (penalties imposed on townships on account of illicit stills found within their limits for prosecution) in one county. They had heard much said in the last session (and justly) of the severity of the laws against illicit distillation. But if, as thus appeared, these severe laws had not been effectual to prevent illicit distillation, the House might judge what the effects would be, if a further stimulus was given to that practice. The effect he thought, would be, that the illegal distiller, thus receiving encouragement, would work up even good corn, which the regular distiller abstained from using. The illicit distiller, in producing a given quantity of spirits, consumed one third of grain more than the regular distiller, from want of capital and skill. He was likely, too, to use the best corn, because he would not run a greater risk of discovery. When it was to be considered that in addition to the other circumstances, it would be at least a month before the stoppage could be effected, he was persuaded the proposed measure would not save one barrel of corn.—As to the recommendation of the right hon. gentleman to the Irish government, to consider the question attentively,

he could assure the House that they had not been inattentive to the question; but as to the inquiry with a view to the stoppage of distillation, he decidedly objected to the measure, because such an inquiry as it would alarm the distillers, would cause them to take all measures to increase their present distillation, and also to submit the corn in their possession, or which they could procure, to such processes as would render it unfit for any other purposes but distillation. What could prevent them while this inquiry was going on, from malting all the grain in their possession, or setting all the mills in the country at work? On these grounds he conceived the motion would produce mischief rather than good. He should add, that the Irish government had taken all practicable means in its power to obviate the dangers of scarcity, especially by taking on themselves the responsibility of admitting American flour, which the letter of the law did not permit. The government had thought fit to admit it by a treasury order, not so much for the purpose of consumption alone, but for the purpose of mixing with the flour of inferior grain.

Sir J. Newport said, he looked at the question before the House with peculiar interest, as it affected two subjects which he had much at heart—the freedom of intercourse between England and Ireland, and the total suppression of illicit distillation. If it could be shown that there was an absolute necessity for the restriction of distillation from grain as a measure to secure the means of subsistence to the people, undoubtedly the two other questions must give way. The question before them was, whether it was imperative on them to interfere for the purpose of securing a sufficiency of food to the people of Ireland. In the first place, it was to be considered what the pressure upon the people was; and in the next place, what were the best means of obviating that pressure. In some parts of Ireland the pressure was greater than in others, from the causes correctly stated by the right hon. gentleman who spoke last, and especially the want of internal communication. Until he had heard the right hon. gentleman, he owned he had considerable doubts whether it would not be proper to interfere. But after the statement he had heard of the quantity of spirits already produced, he thought the measure would be ineffectual, and he had no longer any doubts on the opinion he

should give upon it, which was, that no measures now taken, would prevent the decrease of the quantity of human food. As the last harvest was deficient rather in quality than quantity, and as great part of it was not applicable to the purposes of food, the question was, whether the farmer should be allowed to make that value out of it, which otherwise he could not? It was to be considered too, that at this moment the farmer was putting in his spring corn, and if the power was taken from him of disposing of his inferior corn, his operations would be limited, and there would be a proportionate deficiency in the ensuing harvest. He would recommend to his right hon. friend not to press his motion after what he had heard. He thought, however, great good would have been done by the discussion, because it would satisfy the people of Ireland, that if the stoppage of distillation really held out the means of increasing the means of subsistence, it would readily be resorted to; that it was rejected solely because it would not produce that effect; and that their difficulties now only to be met by husbanding what they had.

Sir R. Fergusson said, that as a part of Scotland was in a condition not less distressing than Ireland, he should take that opportunity of calling the attention of his majesty's ministers to that part of the kingdom. From letters which he had received from the Highlands, it appeared that the crops had almost entirely failed; and what they would do in the summer before the harvest came in, the people did not know; they apprehended, indeed, something little less than famine. It was impossible in some places for the farmers to find corn to put in the ground. He had forwarded several petitions through the secretary of state to the Prince Regent, for the prohibition of distillation from grain—one particularly from a most respectable body of men, the farmers of Fifeshire, who petitioned much against their own interests, merely from a feeling for the distresses of the people. On that question he should say nothing; but should suggest to the ministers the necessity of inquiries respecting the quantity of food in the Highlands.

The Chancellor of the Exchequer said, that undoubtedly ministers would have been greatly wanting in their duty, if they had not made every inquiry in their power respecting the means of subsistence in the whole kingdom. In that part of the king-

dom to which the gallant officer had alluded, there certainly were distressing accounts. But as that part of the country was not very thickly peopled, a moderate supply of grain would be sufficient to meet its necessities. The only effectual means to remedy the distresses of scarcity, which could be resorted to by government, were to preserve its free circulation, so that the surplus of one district might supply the deficiency of others. As for local interference it more commonly served to aggravate the evil than to alleviate it. In former times, when it happened that there was a scarcity in parts, which from the poverty of the inhabitants, were unable to draw grain from other districts, the government had stepped in to their relief by importing corn—as in the Shetland Isles and other places—with good effect. Government might inquire whether any such steps should be taken as to the Highlands, but they would not do it rashly. In general he was disposed to say, that government and parliament had been much too ready in interfering to procure supplies of corn. For he was enabled to state, that of the immense sums thus employed during a former scarcity, the greatest part had been flung away, to the sole advantage of the foreign growers, without increasing the quantity which would otherwise have found its way to this country by the ordinary course of demand and supply. They had lately determined (he thought wisely) that the trade of corn as far as regarded exports, should at all times be free. The question of the stoppage of distillation, as a means of relief, had not escaped the attention of ministers: but they were of opinion that it was not a remedy at present applicable to the evil, as the last crop was not so deficient in quantity as deteriorated in quality: and might therefore be used in distillation when it could not be consumed as food. In some years of deficient crop the difference between the best and the worst kinds of grain was so small as to leave it doubtful whether the distiller would employ the former or the latter; but in this year the difference between the prices was so great that he would necessarily use the cheapest. He hoped the House would be unanimous on the present motion, and would agree that nothing could be gained by it but what was already attained.

Mr. *Baring* said, it was to be regretted that the liberal ideas of the chancellor of the exchequer respecting the trade in corn

had not before prevailed. A free interchange of that article was certainly desirable, though the consequence in the present year had been that sum had been exported to France where the rise of price had been much greater in proportion than in England. In the northern part of that kingdom it had risen nearly to double its former price. The events of the present year had proved the advantage of the system of warehousing corn, and he hoped no one would again attempt to destroy that benefit to the country. He agreed that all interference on the part of the government to prevent scarcities, was to be deprecated, as they generally did only that which individuals would do better without them. As to the suspension of the distilleries, what he had heard of the right hon. gentleman's (Mr. Peel's) speech, was perfectly satisfactory in proving that distillation should not now be suspended, but he did not see why at an earlier period the ministers had not adopted that measure, considering the extraordinary distress in England and Scotland.

General *Mitchell* gave it as his opinion, that much barley and other corn was now so low in price in Ireland and was so unfit for human subsistence, that if legal distillation was suspended, the farmer would dispose of it to the illicit distiller.

Mr. *Calvert* did not see how, according to the statement of a right hon. gentleman, the distiller, if distillation was suspended, could so immediately render his stock on hand unfit for food. A great portion of what was used for distillation was not malted. He allowed that spirits might be more necessary in Ireland than here, both from the habits of the people and the nature of their potatoe diet; but to obtain spirits it was not necessary to consume grain: they might be obtained from sugar.

Mr. *Peel* explained, that as by malting grain was made unfit for ordinary purposes it would be the interest of the distillers to subject their corn to that process previously to any prohibition on distillation being put in force. As for distillation from sugar, those who were acquainted with the prejudices of the Irish people were aware how much they preferred corn whiskey to sugar whiskey. It would be very difficult to get them to consume the latter. Unfortunately, even now the prejudice was strong in favour of illegal whiskey.

Mr. *Calvert* said, that in England less than one-fifth of the corn used in distilleries was malted.

Mr. *V. Fitzgerald* said, that this was true also with regard to Ireland, but all grain used for that purpose which was not malted was crushed in mills, which made it unfit for any other purpose. He could state, that in Ireland the quantity of grain unfit for any thing but distillation was very great, and that, especially in the part of the country with which he was connected, the farmers had actually sold a great part of their inferior grain to distillers, though it had been argued in some publications that the grain was not used by those persons.

Mr. *Baring* wished to know why the distilleries had not been stopped in October last.

Mr. *Peel* said, that no distilleries had begun to work till December. It was to be remembered also, that the Irish government had no power to stop the distilleries by proclamation. It might be said they should have assumed that power; but that would not have been enough, for they would have done nothing, unless they had suspended the article of the Union giving a free intercourse between England and Ireland, which they did not think themselves warranted in doing.

Mr. *Maurice Fitzgerald* said, he should acquiesce in the sense of the House by withdrawing his motion. He observed that the amount of the danger he had stated had not been controverted, but the objection to the motion had rested on two grounds: 1st, that there could not much good result from stopping the distilleries, because two-thirds of the supply of the year had been manufactured; and 2nd, that if much time was allowed to inquire, a great quantity of corn would be speedily rendered unfit for all purposes but that of distilling. He should then be disposed to recommend that an immediate stop should be put to distillation, instead of proceeding on an inquiry. As for the corn in the distiller's hands, there was none of it in a state which rendered it impossible to convert it into food for the people. As to the danger from the encouragement to illicit distillation, he thought it had been much over-rated. The 200 informations for this practice in one country, must, he thought, have been of old date, probably of five months standing, for when oats were at 39s. the barrel, illicit distillation would be more effectually prevented than by any law. He should not, however, press any motion on this subject, unless the ministers would consent to the intro-

duction of a bill immediately to stop distillation of grain.

The motion was then withdrawn.

[NEW COINAGE.] Mr. *Brougham*, seeing the right hon. gentleman, the master and worker of his majesty's Mint, in his place, begged leave to move for a copy of all correspondence that had taken place between the chancellor of the exchequer and certain magistrates in the country, relative to the issuing of the New Silver Coinage. He understood that this correspondence alluded to the value of the old silver currency, and regulated the mode of receiving it in exchange for the new coin, and he wished to be informed in what manner the regulations and promises laid down in that correspondence had been fulfilled or neglected. Notwithstanding the assurance given, either by the chancellor of the exchequer, or by the master of the Mint, that all smooth shillings and sixpences would be taken in exchange, provided they were of standard fineness, he had understood another criterion had been adopted.—Having touched on the subject of the new coin, he hoped he should be excused if he offered a few observations on some points, intimately connected with the currency of the country. He was fully disposed to give credit to the Mint for the celerity with which the great work of the new coinage had been effected, and even for the mode of its operation; but he could not avoid expressing some doubts of its ultimate success. The difference in value between the Mint coinage and the bank tokens was very great. The former was issued at the rate of 5s. and 6d. and the latter at 6s. 8d.; and if it was possible to judge of the results of this rival circulation, the consequence must be to drive out of currency that which had been issued at the lesser value. In such a case the bank tokens would retain their place, and the new coinage, which had been prepared at so much expense, would soon disappear. On this point he would, however, speak with great diffidence, although he could not conceive it possible how two currencies could exist at the same time. He was well aware, that a person would prefer melting bullion at 5s. to coin at 5s. 6d.—[Hear, hear! from the chancellor of the exchequer.] Of this he was aware, and it was one of the difficulties that prevented him from coming to a more decided conclusion on the subject. He

could not help doubting the wisdom of issuing the new coinage, while the general currency of the country was so much devalued. While the market price of silver was 5s. an ounce, and the currency at 5s. 6d. there was a sufficient protection to the coin; but what security was there if the market price rose above that of the Mint? Silver had risen to 5s. 8d. and even to 7s., and gold had got up as high as 5l. 7s. and 5l. 11s., while the Mint price was only 3l. 17s. and 10½d.; and a rise much less than that would be sufficient to endanger the safety of the entire coinage. While silver remained at 5s. 5d. or even at 5s. 6d. the coin would probably be safe enough, but should it rise a penny or two-pence more, not a shilling would remain in circulation. It had been the opinion of a predecessor of the right hon. the master of the Mint, one whom, however, he could not think of comparing with the right hon. gentleman opposite in political importance, because he had not held such elevated offices in the state, but still one somewhat distinguished for his scientific attainments and excellent judgment—he meant sir Isaac Newton—it had been the opinion of sir Isaac Newton, that an increase of even 3d. in the price of gold, was sufficient to endanger every guinea in the country. This opinion that great man had published, and had signed his name to it; and if 3d. in the price of gold could have such an influence on the gold coin of the realm, what must the effects of an equal or greater rise in silver be on the silver currency? Yet, to this danger was the country constantly exposed, while it remained with the bank of England, by a single stroke of the pen, to derange the market prices of both gold and silver, by a sudden and unrestricted issue of their paper currency. He could assure the House that he spoke of the bank with the greatest respect—a respect mixed with dread and alarm. He not only respected the bank, but he feared it also. It was in vain to hope for any security for the circulation of the new coinage, unless the earliest opportunity was taken of withdrawing that control which at present restricted the bank from the payment of their notes and tokens in specie. The moment the bank paid on demand, all danger was at an end.—After these observations, he begged leave to turn to a subject of minor importance—namely, the die and execution of the new coin. There was, however, he believed, but one opi-

nion in the country on that point. A great defect was discernible in the execution of the head or obverse side, in which there was no resemblance of his majesty. But by way of making up for this deficiency, there was rather an unusual addition on the reverse, for there, by means of a microscope of small magnifying powers, it was easy to discern the letters W. W. P. What those letters were intended to signify he did not pretend to determine. Perhaps they were the initials of the right hon. master and worker; if so, he could not help observing, that it was very unusual to have any such initials so placed. When sir Isaac Newton held that office, the coin issued in his time had not the letters I. N., and he doubted whether any of his successors were entitled to such a distinction. If there never was a coin bearing the letters I. N., he wished to know whether there was any precedent for such an impression upon the coin of the realm? He added that cardinal Wolsey had impressed upon the king's coin a cardinal's hat, and that this was made one of the articles of impeachment against him. Mr. Brougham concluded by moving, "That there be laid before the House, copies of all letters from the chancellor of the exchequer to magistrates in the country relating to the New Coinage."

Mr. *Wellesley Pole* said, that he had heard of the inquiries made in his absence by the hon. and learned gentleman, as to when he would be likely to make his appearance in the House; that being anxious to treat every gentleman with respect, he attended in his place the next night, and every succeeding one, and until now no step had been taken. He declared his willingness to give every possible satisfaction with regard to all matters connected with the department to which he had the honour to belong. The motion now brought forward by the hon. and learned gentleman was for a copy of a correspondence between the chancellor of the exchequer and certain magistrates in the country, on the issuing of the new coin, but of such a correspondence he was not aware. This was the first time he had ever heard of it, and he did not believe that it existed. The hon. and learned member had spoken of some rules laid down in that correspondence for regulating the exchange, which rules had been departed from to the great injury of the public. There again he must profess his

inability to guess to what rules the hon. and learned gentleman alluded. It had occurred to him that the simultaneous exchange of all the silver coin of the realm, throughout every part of Great Britain, must necessarily be attended with very considerable difficulties, and therefore secret instructions were prepared and given to those intrusted with the important task of the exchange for their guidance. These instructions had been, as far as he knew, obeyed in every instance, and he believed they had been carried into execution in such a manner as to give universal satisfaction throughout the country.—He knew not whether any person had betrayed his trust by communicating them to the hon. and learned gentleman [Hear, hear!]; but he would not agree to have them now made public; he would, however, defy the hon. and learned member to adduce a single proof of any dissatisfaction in consequence of instructions.

He would not enter into a discussion of the manner in which the whole complicated proceeding had been arranged and effected; he left it to the country to decide upon that question [Hear, hear!]; nor would he notice the taunts and sarcasms which the hon. and learned gentleman had, in so unprovoked a manner, thrown out against him; but he would reply to the observations made by the hon. and learned gentleman about the consequences of the coinage, and express his sorrow that the hon. and learned member had not favoured the House with those observations at a more proper period, when the question of the coinage was last session before the House. The entire measure had been effected under an act of parliament, passed with an unanimity almost unknown in that House, and the more surprising, as the measure was nothing less than an alteration in the whole currency of the country, and for regulating that which no administration dared to look at for a century preceding [Hear!]. The point was now decided, and it would be useless to enter once again into a discussion of the principle of dividing the pounds troy into 66s. instead of 62s., and detaining four as seignorage. This and limiting the legal tender of silver coin at any one payment to 40s. had been thought by parliament a sufficient security against trafficking in coin for the future. He entertained no apprehension of any sudden rise in the price of gold or silver. As long as the balance of trade was in favour

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of the country, so long bullion would not exceed the Mint price.—He stated, that the bank were desirous of resuming cash payments as soon as possible, and at the present moment the Mint possessed gold belonging to the bank, for the purpose of coining. The apprehensions expressed by the hon. and learned gentleman respecting the rise in silver were quite chimerical; but should such an event take place, parliament could immediately interfere and prevent any dangerous consequences [Hear, hear! from Mr. Brougham]. The hon. and learned gentleman might cheer him; he understood the nature of those cheers, but he preferred arguments to them; and he defied the ingenuity of the hon. and learned gentleman to discover any other means than the interference of parliament to prevent any dangerous consequences of the nature he apprehended. Were the price of silver to rise by an unfavourable state of trade, or by any other cause, so as to endanger the melting of our coin, and its being sent out of the country, there could be a remedy for such an evil by legislative interference. But he apprehended no such mischief, and was satisfied, in his own mind, that the hon. and learned gentleman's fears were perfectly groundless.—The apprehensions which the hon. and learned gentleman seemed to entertain with respect to the inconvenience that would result from the circulation of the bank tokens and the silver coinage at the same time were equally without foundation; for it was not intended by the bank, or by ministers, to suffer the continuation of the circulation of bank tokens, and as soon as the mint could find time, its first employment, he doubted not, would be a coinage of silver money, to enable the bank to take up the tokens.—Mr. Pole said, he was unwilling to leave this part of the question without expressing his gratitude to the bankers of London and Westminster, and indeed all the eminent bankers in every part of England, for their zealous assistance in completing the exchange of the coin. The bank of Scotland had effected the exchange in that country by its sole exertions; and without their united assistance, he felt convinced that the government would have found the greatest difficulty, if not almost an impossibility, in rendering the exchange so general, simultaneous, and satisfactory.

The hon. and learned gentleman had been extremely witty on the execution of

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the die; but he could assure him and the House, that no expense had been spared to procure the ablest artists, and to have every thing as perfect as possible. He, however, must allow that the head on the half-crown piece had disappointed his hopes; but the hon. and learned gentleman, whose taste appeared so very classic, would no doubt be pleased to learn that another head was in progress, and that a new half-crown would soon be issued, which he hoped would be universally approved. He could assure the House, that as long as the Mint remained under the present management, they would never feel satisfied while they thought they had a chance by exertion of improvement. With respect to the letters W. W. P. alleged to be on the reverse of the coin, and which the hon. and learned gentleman said he had discovered with his magnifying glass, he should only say that undoubtedly he had placed private marks upon the coin; what those marks were he should not disclose to the hon. and learned gentleman: he might if he pleased suppose that he had discovered them. By the Mint indenture, with which the hon. and learned gentleman ought to have been acquainted, he was authorized, and almost commanded to place any private marks on the coin he might think proper. This he had done, not ostentatiously, nor on his majesty's shield, as it had been falsely stated, but in compliance with the instructions contained in the Mint indenture. The hon. and learned member had alluded to cardinal Wolsey, but he had misrepresented the case, and let him get out of the scrape as he could.—[Hear, and a laugh from the Opposition]—Yes, he conceived a gentleman to be in a scrape who brought a serious charge against a member without foundation. He did not know how the hon. and learned gentleman might feel upon this subject, but for his own part had he been convicted of charging any man falsely, whether from ignorance or any other cause, he should consider himself to be in a scrape. He would, however, set the House and the learned gentleman right upon that point. In the reign of Henry 8th, cardinal Wolsey, as was the custom for many great men in those times, obtained the king's permission to coin money, and accordingly coined some groats, he (Mr. W. Pole) had seen one of them: and, if the hon. and learned member wished to learn something about them, he would refer him to Snelling and Martin Fowkes,

authors, with whom, no doubt, he was acquainted, where he would see an engraving of them, bearing on the reverse in large letters T. W. the initials of the cardinal's name, and under them the figure of a cardinal's hat. Soon after 44 articles of impeachment were preferred against the cardinal, of which one was that he had pompously and ostentatiously placed on his majesty's coin a cardinal's hat, but not one word was there about the letters. Was this a case in point—was this a proof that the insertion of letters in the coin so ostentatiously as to be discovered by a large magnifying glass was an impeachable offence? Martin Fowkes, in commenting upon the circumstance, particularly stated, that the cardinal had not been accused for having placed the initials of his name upon the coin, for that had been customary, but for having inserted a foreign mark upon the coin of the realm. That for which he was now accused had been done by at least twenty masters of the mint since the reign of Charles 1st.; and notwithstanding the taunts of the hon. and learned member, he should continue to place any private mark he pleased upon the coin, as long as it was authorized by the indenture under which he worked, and was sanctioned by the approbation of his sovereign. With respect to the expense, which the hon. and learned member appeared so much to lament, he felt much pleasure in assuring the House of his belief, that the 500,000*l.* voted by the House would cover the whole expense of the coinage, and of exchanging and distributing it over every part of Great Britain. He would not pledge himself to this, as it was impossible to ascertain the expense till all the accounts were closed; but he had reason to believe it. The expense had indeed been great—but it could not have been otherwise both to ensure the perfection of the coin, and to guard against the possibility of counterfeits. He had now, he believed, adverted to the various points which the hon. and learned gentleman had introduced. If any further explanation was required, he should be happy to give it, for he was sure, both the House and the country felt that this was a subject upon which he had no reason to shrink from investigation [Hear!].

Mr. Brougham in explanation, said, that the right hon. gentleman had quite misunderstood him. He never complained of the expense, what he said was entirely against the bank, and that as to the initials the cardinal's case came nearest.

The *Chancellor of the Exchequer* said, that no correspondence had ever passed between him and any one else on the subject of the new coinage.

Mr. *Brougham* said, that he did not precisely know that any correspondence had taken place with the chancellor of the exchequer, but he believed that a correspondence did take place with some one belonging to the treasury.

The *Chancellor of the Exchequer* said, that there was none whatever from the treasury.

Mr. *Curwen* felt it his duty to bear testimony as to the general satisfaction afforded by the manner in which the exchange was effected.

Lord *Cochrane* expressed the great dread which he entertained of the fluctuations likely to take place from a continuance of the present system, which permitted the bank to make unlimited issues of paper.

The motion was then negatived.

HOUSE OF LORDS.

Friday, March 7.

TREASONABLE PRACTICES — AND ARMY AND NAVY SEDUCTION BILLS.] On the order of the day for the third reading of the Treasonable Practices Bill,

Lord *Holland* was desirous of saying a few words, which might as well embrace both the bills now before the House. To the bill for the better protection of the Prince Regent, he did not mean to object; but he could not help lamenting that greater care had not been employed in drawing up these bills instead of leaving some points vague and undefined, and others open to ambiguity. Thus, in the army and navy seduction bill, which was made perpetual, all the enactments in the expired act of that nature were revived, although one of them was for limiting the duration of that act, which was altogether at variance with the clause in the present bill rendering it perpetual. The punishment for the treason created by the treasonable practices bill, it was also enacted should be the same as in the former act, although since the passing of that act, in 1799, the punishment had been altered by law. Under this bill also, as it stood there might arise doubts as to whether the provisions of an act passed in the reign of William 3d, and of another in the reign of queen Anne, intended to mitigate the situation of persons accused of high treason,

would extend to those charged under the present bill, though it was evidently not intended that the latter should be deprived of those advantages. These errors and ambiguities served to show the impolicy of the practice of thus continuing by a single enactment all the provisions contained in a former act, instead of expressly re-enacting only what was necessary to enact. With respect to the army and navy seduction bill, he could not approve of the principle adopted in it of making death the punishment for this offence. The great object was, the facility of detection with respect to this offence, and how was that to be increased by enacting that the punishment of death should fall upon the offender? Was it not evident, on the contrary, that the more severe the punishment, the less easy was it to detect the offence? Our ancestors had a constitutional jealousy of a standing army, and it was of the greatest importance that that jealousy should be kept up amongst their lordships, seeing, as they did, the consequences to which the keeping up large standing armies led, the danger arising to the people from a large force kept up at the disposal of the government, and the danger arising to the government itself from the seduction of the troops, leading to the enactment of the horrible punishment of death. Whilst he was upon this subject, he could not help alluding to a fiction which was stated in a report (he did not know whether it was regularly before the House) to have been circulated with a view of influencing the soldiers, alleging that foreign troops were about to be landed in the country. How this fiction originated was no where to be discovered; it did not appear to have originated with the Spencean Philanthropists, or with the Union Societies. He found, however, that in a pamphlet lately published, written by a learned civilian of Oriel college, Oxford, and intitled "Reform the Watch-word of Revolution," this same fiction was put forth in the shape of a menace. After condemning the conduct of all reformers, as tending to revolutionize the country, this pamphlet went on to observe, that it might become imperative upon all the governments of Europe, with a view to their safety, to combine against revolutionary principles, as they had done against the French revolution, and thus the conduct of the reformers here might lead to the landing of a foreign force in this country; in order to obviate the danger arising from their principles, and through

that to a military despotism. He supposed, therefore, that this pamphlet, from the doctrines it held out, and particularly with regard to the landing of foreign troops, had formed part of the documents before the secret committee, and was included amongst those dangerous productions to which they had adverted.—With regard to the bill for the protection of the person of the Prince Regent, he thought it quite right that the protection given by a former act to the person of the king, should be extended to the Prince Regent, but he should have much more cheerfully given his assent to a bill for the repeal of the former act than to the present measure, because he thought the existing laws would have been found sufficient, and he was hostile to the multiplication of enactments not actually necessary, and to the creation of new treasons. Such a law was not thought necessary in the reign of Edward 3rd, in the reign of William 3rd, or in the reigns of George 1st, or 2nd. It was, in fact, a project of James 2nd, but to which his parliament would not agree, without a condition to which that monarch would not accede. He should not therefore have thought it necessary in the first instance to have enacted such a law, but it having been enacted, he thought it quite right to extend it to the protection of the person of the Prince Regent. He, however, trusted that amendments would be introduced to obviate the ambiguities to which he had before alluded.

The Earl of *Liverpool* observed, that although recent circumstances might have immediately occasioned the introduction of these bills, yet he wished it to be understood, that had these circumstances not happened, it was his opinion, as well as that of others, that the enactments contained in these bills should be proposed. With respect to the army and navy seduction bill he had conceived it to have been originally a permanent act, and it was entirely through inadvertence that the law was suffered to expire in August last. His opinion, and that of others was, that it ought to be a permanent law, and though he admitted the justice of the general principle, that by increasing the severity of the punishment you lessened the facility of detection, yet, he contended, that this law was an exception, inasmuch as it would operate by intimidation to prevent the offence. With respect to the treasonable practices bill, he was also of opinion without reference to recent circum-

stances, that the security given by the former acts to the person of the king, ought unquestionably to be extended to the person of the Prince Regent. He wished it, however, to be understood, that this measure did not create any new treason. It was the opinion of eminent judges, supported by a course of decisions, that the offences designated in this bill were treason at common law, and it was so laid down as law by Chief Justice Eyre, at the trials of several persons in 1794. However, to remove all doubt, it was determined to make a special enactment upon the subject, in order distinctly to make the offence treason. With respect to the errors suggested by the noble lord, he had no objection to postpone the third reading till Monday, in order to give time to his noble and learned friend on the woolsack to make the requisite amendments.

The *Lord Chancellor* observed, that with respect to the army and navy seduction bill, it was undoubtedly proper that words should be introduced to prevent the re-enactment of a clause in the former act rendering it temporary. With regard to the question of reviving former acts without specifying the enactments, it would be improper where it referred to a great body of laws like the customs or excise laws; but when it was only a short act easily referred to, he saw no impropriety in thus reviving it without specifically mentioning the enactments. With regard to the punishment of treason in the treasonable practices bill, it certainly ought to be made what it now was by law, and an amendment could be introduced to this effect on Monday. As to that bill itself, it was merely enacting that to be treason which was already considered to be treason, and this was merely done to avoid any dispute. His lordship observed, that it had been his official duty to prosecute a man for attempting to seduce the soldiery, soon after the former act respecting this offence passed, who was capitally convicted and since that, until August last, when the act expired, no instance of this crime had occurred. He was therefore decidedly of opinion, that this law would operate by intimidation to prevent the offence.

The third reading of the bill was postponed till Monday. The earl of *Liverpool* then moved the third reading of the Army and Navy Seduction Bill.

Earl *Grosvenor* thought that no necessity had been shown for this measure. Where was it to be found that any at-

tempts had been made to seduce the soldiery? Was it in the placard that had been carried about the streets on the 2nd of December, saying "the soldiers are our friends, treat them kindly?" Was it in the absurd attempt made to summon the Tower to surrender? Was it in the project for burning the soldiers in their barracks; was this likely to seduce them? He was at a loss to understand where attempts were stated to have been made to seduce the soldiery; but at any rate he considered the existing laws sufficient for the offence, or if there existed a present necessity for this measure, there could be no reason why it should be made perpetual. It was of essential importance also, that a law of this nature, inflicting the penalty of death, should not be so loosely worded as to leave it a question for doubt, what in some instances would constitute the offence. Under all these circumstances, he thought it right to move to leave out the words "made perpetual," and to insert "continue for one year."

The question was put, that the words proposed to be left out stand part of the bill, which was carried in the affirmative. The lord chancellor then moved to insert words to except the re-enactment of the clause in the former act, making it temporary, which amendment was agreed to. After which, the bill was passed.

SCARCITY OF PROVISIONS IN IRELAND.] The Earl of *Darnley* thought it necessary again to call the attention of ministers to the distressed state of the people in many parts of Ireland, in consequence of the scarcity of provisions. Unless some remedy was speedily applied, the most serious consequences were to be apprehended. Riots, it was known, had already taken place in some quarters, in consequence of the distress of the people, and the fact was, that unless some remedy was promptly applied, there would be absolute want in some districts, where the existing scarcity was aggravated by the difficulty of transporting provisions. He was not aware of the information upon which ministers had acted, in refusing to suspend the distillation in Ireland, but he should feel it his duty on an early day to move for that information. They, it seemed, were of opinion that the distillation had gone on so far during the present season, that what remained of grain would be of no consequence to the general supply, or not fit for human food. If he could at all

rely upon his information, though the distillery had consumed a great deal, he had reason to believe that one third of the oats intended for that purpose were still available for human sustenance. The calculation was, that the annual consumption of spirits in Ireland was 4,500,000 gallons. A barrel of oats used to produce eight gallons, but he believed, owing to the inferior quality of the oats this season, a barrel would not produce more than six gallons; this would give 750,000 barrels, one third of which would be 250,000 barrels. If this quantity were immediately made available for human sustenance, he was satisfied it would have a most beneficial effect upon the people of Ireland, by immediately tending to relieve them from that dreadful pressure under which they were now struggling.

The Earl of *Liverpool* said, that this subject had occupied and was now occupying the most anxious attention of his majesty's ministers. He was decidedly of opinion that the suspension of the distilleries would only tend to increase illicit distillation, and not in the smallest degree add to the food of the people. The distress felt in some parts of Ireland arose from the difficulties that existed in transporting provisions from a quarter where there was plenty to one where there was a scarcity. There was certainly no deficiency of supply in the united kingdom, taking it as a whole, and there was no doubt that the present high prices would draw into our ports whatever further supply was wanted. Under these circumstances the greatest caution was necessarily required, because the interfering with such a subject frequently did more harm than good. No exertion, however, should be wanting on the part of his majesty's ministers to remedy the evil.

HOUSE OF COMMONS.

Friday, March 7.

FINANCE COMMITTEE.] Mr. *Calcraft* rose, at the desire of his right hon. friend, Mr. *Tierney*, to state on his behalf, that on account of ill health, he was prevented from being able to continue to attend the sittings of the Finance Committee. He was also desired to assure the House, that it was only on account of ill health, and by the advice of his physician, that his right hon. friend was prevented from attending.

Lord *Castlereagh* having expressed his

regret at the cause of the absence of the right hon. gentleman from the committee, proposed that in his place the name of the hon. gentleman (Mr. Calcraft) should be added to the finance committee. The proposition being agreed to,

Mr. Calcraft said, he would give his attendance on the committee, since it had pleased the House to nominate him in the room of his right hon. friend, and would do his best to promote its objects.

POOR LAWS.] Mr. Calcraft said, he held in his hands two petitions on the subject of the Poor Laws, and he wished to call the attention of the noble lord opposite to these petitions. He could assure the House from his own knowledge, that the statements in them were in no wise exaggerated. They were from two parishes in Dorsetshire: one of them was from the parish of Langton Matravers, consisting of 575 inhabitants, and 419 of these inhabitants were at present receiving parochial relief. The rate amounted at least to 18s. or 19s. in the pound. The other was from Swanage, where the population was larger, about 1,500, and the number of inhabited houses about 300. Of this population there was not one in seven able to support themselves. In this parish, the rate amounted to a guinea in the pound, and every occupier of land but one had given notice to abandon. Four or five in the other had also given such notice; and the land in a short time would thus all be thrown on the hands of the owners. If it had not been for the persons who had come forward and subscribed largely towards the relief of the poor, at the head of whom was lord Eldon, it would have been impossible to go on; but he was sorry to say, that the whole of the funds subscribed would be exhausted by the 22d of the present month. These parishes would have applied for a rate in aid, which the magistrates, if they thought proper, could allow them from the rest of the hundred; but of the five other parishes in the hundred, there was not one which paid less than 7s. in the pound on the rack rent. The other mode which the statute of Elizabeth left open to them, of applying to the magistrates at the sessions who might rate in aid such other parishes in the county as they thought fit to fix on, was a course attended with almost insuperable difficulties. He should move that the petitions be first read, and then referred to the committee on the poor laws.

He hoped that committee would not separate, without settling the mode in which rates in aid could be efficaciously obtained. Persons of the largest funded property were at present, contrary to the intent of the statute of Elizabeth, enabled to escape entirely from the poor laws. If the names of the stockholders were published; there could be little difficulty in making them contribute equally with others; and he did not see why the names of the public creditors, and the amount of stock held by them, should remain a secret any more than the amount of the debt.

Lord Castlereagh said, that the House and the country ought always to keep in view, that a great proportion of the wages of labour of the country were paid out of the poor rates. The farmers, from a system, the bad effects of which had been already too much felt, had been long in the habit, in many parts of the country, of paying a great proportion of the wages of farming labour in the shape of poor rates. This accounted in a great measure for the rapid rise in the amount of those rates from one and a half to upwards of 7 millions. He was convinced, that in cases where 19s or 20s in the pound were paid for poor rates, 15s. of that would be found to be wages paid in the shape of poor rates. A system like this ought to be discouraged as much as possible.

Mr. Calcraft was glad that the noble lord had made the observation, as it gave him an opportunity of stating, that though it might apply to parishes purely agricultural, it could not apply to the parishes in question. The persons obtaining relief from them were nearly all engaged in the stone trade. He did admit that a great part of the wages of labour in many parts of the country were paid out of the poor rates. He was decidedly of opinion that the political state of the country had, in a great measure, increased the poor rates to what they at present were, and not the idleness of the people.

Mr. Curwen agreed with the noble lord in reprobating the pernicious practice which existed in many counties of mixing the wages of labour with the poor rates; but there were many parts of the country where the increase of the poor rates was not to be accounted for in this way. With respect to the fundholders, it was indeed true that a great part of the property of the country, for want of means of coming at it, had hitherto escaped from bearing its share. The more he considered the

subject, the more he was convinced that the House ought, before they separated, to take some measures for subjecting the fundholders to their fair share of the burthens of the poor rates, without which it would be found impossible to continue to relieve the distresses of the country. From every thing he had seen of the noble lord in the committee, he was convinced that he would heartily concur with them in recommending such measures as, after a minute investigation, should appear best calculated to lighten the pressure of this evil.

Lord *Cochrane* said, that he could not suffer the petitions to be laid on the table without stating a circumstance of a most interesting nature, and which, in some degree, had induced him to give the notice which he had done that night, relative to the equalization of the interest paid by the public, for the loan of depreciated paper, to the diminution which had taken place by the operation of that paper on all landed property and stock in trade. He would give it as his decided opinion; founded on all that he had read and heard on the subject of the poor laws, that legislative enactments, confined to their operations alone, would prove wholly unavailing. The House must look deeper for the cause of the evil. The circumstances to which he particularly alluded was, the state of the Manchester manufacturers of goods for foreign markets, all of which goods he could prove were paid for, not by the consumer abroad, but by the landed interest here, in the shape of poor rates. He had only to mention in proof of this, that a piece of cotton stuff, for which the weaver was formerly paid 29s. by the master manufacturer, now cost that manufacturer only 7s. a sum scarcely sufficient to indemnify this weaver for the expense of his loom, paste, candles, and rent; the remainder being paid out of the pockets of the land owners in the form of poor rates. Was this a system that could last? No. It was a transfer of the produce of our land to America in the shape of merchandize—of the original cost of manufacturing which the consumer paid no part. The accounts of exports delivered to the House were the means of delusion. Under such circumstances it would be better to cease manufacturing, and even to burn the useless vessels employed in so ruinous a trade—a trade only beneficial to our rival, and upon which that rival levied a heavy duty, derived also from the

pockets of the landholders of England. An end must be put to evils of such enormous magnitude, and this could only be effected by a reduction of the interest of the debt. No man could say that the poor laws occasioned the increase of misery, and that they had produced the state of wretchedness which called for the assistance of those who still possessed property. It was the taxes which reduced the people to want. It was the taxes which deprived the manufacturer of a foreign market, by enhancing the value of his goods, and enabling foreign countries to rival and undersell him in every market. He repeated, that an end must be put to this state of things by a fair and equitable reduction of the interest of the funded debt, and he hoped for the concurrence of every honourable man in that House to the attainment of that object. It had been contended by various members that the able bodied part of the lower classes were not entitled to relief; he (lord C.) thought otherwise; he felt that those capable of working, but destitute of employment, were even more deserving of pity and assistance than the aged and infirm, inasmuch as their feelings, under such circumstances, with a starving family around them, must be more acute. It was in vain to imagine that they would quietly lie down and die in a ditch. He expressed an anxious hope that the House would dispassionately weigh and consider the perilous circumstances in which the country was placed. The present system must soon cease; and if his majesty's ministers continued to oppose every change, it would come at last in that dreadful form which would not only sweep away the landed property, but involve the whole kingdom in confusion and utter ruin.

Sir *C. Burrell* said, he felt it his duty to protest against the doctrine held out by the noble lord. He was convinced, that when the fundholder was trenched upon, and through him honour and public faith were violated, the present distress would be increased ten-fold. He augured much from the present state of the funds, which held out a reasonable expectation that the monied interest would assist the landholders by way of mortgage, which could not be hoped for when the funds afforded 5 per cent. on money invested. He was convinced that any interference with the fundholder would therefore be an injury to the landholder also. He was surprised that the member for Carlisle, who was re-

markable for sound sense, should have joined in so wild a theory as the proposal for breaking faith with the creditor. Great exertions had been made in the district he was connected with, to employ the poor, even those scarcely able to work, for the purpose of avoiding idleness and the appearance of pauperism. He thought it would be most desirable to increase the circulating medium, which would give a facility to the employment of the labouring classes throughout the kingdom, and would do more to restore prosperity than any remedies which had been proposed.

Mr. *Lockhart* said, he was anxious to correct an erroneous idea which the noble lord (*Cochrane*) had either expressed or implied, namely, that it was in contemplation by way of reform in the poor laws, to propose to refuse relief to able bodied men, who were without employment. No such idea was entertained, he believed, by any member of the House, and certainly not by any member of the committee on the poor laws; the idea entertained by the committee, was to encourage industry, but by no means to refuse relief when industry was found unavailing. He agreed in what had been said by the noble lord (*Castlereagh*) as to the bad effects of mixing up poor rates with the wages of labour, but he denied that this system had been voluntary on the part of the landlords. When the population increased, and so many poor applied for parish relief, it was found impossible to give the same sum to the single and married men. If the unmarried men received as much as would support a family, they would have spent more than they had any need for; but as it was impossible to make any distinction between single and married men, in the actual rate of wages, the price of labour was fixed at a low rate, and an additional sum was given to those who had families out of the parish rates. It was not often he agreed with the noble lord (*Cochrane*), but he must say, he concurred with him in thinking, that if that system was not put an end to, by which one species of property was exempted from all rates and taxes to which others were subject, and that too to an amount equal to all the rents of the kingdom, it must render all trade and industry wholly unproductive, and thus cut up the roots on which it depended. He did not wish to see any compulsory measure adopted, but he looked to the good sense of persons holding all species of property,

and trusted to their conviction of the expediency of making some sacrifices for the security of their property and every other.

Sir *O. Moseley* said, he allowed that in many instances in Manchester the weavers got no more than 7s. for a peice of cloth, for which they formerly got 29s. and that the rest of what was necessary for their subsistence, was made up from the poor rates. The average rate of wages was, he thought, so low as 7s. 6d. a week. But the poor rates, from which their subsistence was supplied, could not, in that instance, be considered as a tax on the land-holders; the merchants had warehouses, and rateable property in the town and its neighbourhood. He was himself a proprietor of land in that town, and he by no means considered those rates as pressing unfairly upon him.

Mr. *Brougham* said, he agreed with his hon. friend who had last spoken as to the manner in which the poor rates operated. He could not let this opportunity pass without protesting as well against the proposal of the noble lord (*Cochrane*), as that of the hon. baronet (sir *C. Burrell*), who had professed so much abhorrence of the noble lord's proposition. The difference between the noble lord's project for reducing the interest of the debt, and the hon. baronet's proposal for increasing the quantity of the circulating medium, was only the difference between two modes of bankruptcy, or as had been well expressed by a celebrated writer on these subjects, the difference between secret fraud and open violence. For what distinction could there really be, between taking boldly a certain proportion of his annuity from the creditor, and making that annuity worth so much the less, by an increase of the paper circulation? He, for his own part, did not see more good faith or justice in one proposition than in the other. Though it was with hesitation that he differed from so respectable an authority as that of his hon. friend (sir *O. Moseley*), he was afraid that he had under-rated the distresses in the manufacturing districts; for, from the inquiries which he (Mr. B.) had felt it his painful duty to make on this subject, he was persuaded that the average rate of wages was not more than 8s. or 4s. a week. This subject was a most interesting one, and the more it was inquired into, the more it would be found that distress existed, to a degree to which the House had scarcely a conception.

The petitions were read and ordered to lie on the table.

PETITIONS RELATING TO REFORM, &c.] Lord *Folkestone* said, he had a petition to present on this subject from *Horsham*, in *Sussex*. He was not acquainted with that borough, but he understood that it had been adopted at a most orderly meeting, which had been assembled by individuals, in consequence of the bailiff refusing to call a meeting.

The Petition was brought up and read. It complained of sinecures and unmerited pensions, of the evils arising from a fictitious paper currency, of the immense standing army in time of peace, and of the state of the representation; and prayed the House not to pass new acts, infringing the liberties of the subject, as the existing laws were, in their opinion, sufficient to preserve the peace.

Sir *T. Shelley* bore testimony to the orderly character of the meeting, but he was authorized to say that the bailiff had not refused the use of the town hall on the occasion.

Mr. *Hurst* said, it was true, that the persons who convened the meeting had applied for the town hall. The bailiff then requested that the requisition should be shown him in writing, and a requisition was accordingly shown him couched in general terms, whereupon he consented to grant the use of the hall. This having been done, the framers of the requisition published it with an addition to this effect—"We invite all labourers, mechanics, and apprentices to attend the meeting, as they are equally interested in its objects while they pay taxes on coals, candles, &c." On looking at the petition he found that there were from ten to twenty signatures in the same hand-writing. Whether that was an objection to receiving the petition he should not pretend to decide. As to the good order of the meeting, which had been praised, it was not very remarkable. A blue flag had been brought out of a public house; and when a gentleman present attempted to address the meeting, his voice was drowned in the clamour which often prevailed at such meetings. He was authorized by the magistrates, clergy, and the most respectable inhabitants of *Horsham*, to disavow their connexion with the petition, or the sentiments it contained.

The *Speaker* said, that as to the point of order, on which he was appealed to, all

petitions presented to the House must be signed by the hands or marks of the petitioners themselves; and if they were not, it was contrary to the rules of the House to receive them.

Sir *F. Burdett* said, the fancy of any hon. member as to the hand writing of signatures, could not, he conceived, be a sufficient ground for the rejection of a petition. As to the disorderly conduct of the meeting, what had it amounted to? A blue flag had been displayed which the hon. member stated to have created much noise. Without something more solid to support his allegation, the hon. member should not have brought it forward.

Lord *Folkestone* said, there were many respectable signatures to the petition, though he had not thought it his duty to examine the whole of them. There were certainly many different hands, and if half a dozen names were written by one person, it would not certainly vitiate the whole. What had been said by the hon. member rendered the petition worthy of some consideration. He had said, that all the magistrates of that district were hostile to the petition. If the bill before the House had passed, no such meeting could have been held, and consequently no such petition could have come up to the House.

Sir *C. Burrell* read an extract of a letter, by which he was informed that many names were affixed in the same hand-writing. He thought it rather singular that the people of *Horsham* should complain of the state of the representation, seeing that a burgess of *Horsham*, being a freeholder, had a right to vote for no less than six members of parliament—two for *Horsham*, two for the Rape of *Bramber*, and two for the county of *Sussex*.

Mr. *Curwen* thought it would be hard on the petitioners to reject the petition because more than one name was in the same hand writing.

The *Chancellor of the Exchequer* thought it would be more advisable, as there were certainly many real signatures, to suffer the petition to lie on the table. The noble lord had referred to a bill before the House to prevent seditious meetings; but he was mistaken in the object of the bill. It would at any time be competent for seven householders to call a meeting; and consequently such a meeting as that at which the petition was adopted might have been held, even if that bill had passed into a law.

Sir James Graham said, that in many petitions which had been presented to the House for reform, there had been a great many signatures in the same hand. As to the petition from Carlisle, out of 6 or 7,000 signatures, there were not more than 5 or 600 genuine ones. He believed that very few, if any, householders had signed it.

Mr. Curwen said, he differed from his hon. colleague, as to the petition from Carlisle; though that petition was not entrusted to him, he was assured that there were a great number of very respectable names to it. The meeting had been extremely orderly, the promoters of it endeavoured to the utmost of their power to get it called by authority; and not having succeeded, they did every thing to give it the appearance of a regular meeting.

Sir J. Graham said, that though the names of the most respectable persons in and about Carlisle were affixed to that petition, he was assured it was without their consent.

Mr. Serjeant Best said, it was a gross abuse of the privilege of petitioning, and an insult on parliament, to send petitions signed by a pretended number of names really written by others. He thought it necessary to put a stop to the practice, for if the subject on which these petitions turned came to be discussed, the number of the petitions might be much relied on, and they might be told that petitions were signed by thousands or millions which were really signed by very few persons. He could not consent to receive a petition upon which such a practice was used. The proof did not rest on fancy; besides the similarity of hand, there was the testimony of the hon. baronet (sir C. Burrell). The only mode of checking such a practice, was by rejecting the petition.

Lord Castlereagh observed, that the gross abuse of the right of petitioning had gone a great way to lower the authority of this valuable privilege of the subject. On the other hand, he should be very sorry if, on account of a fraud practised by a few they were to reject a petition which was really signed by many persons. This, however, ought to be inculcated on the people, that there was nothing so fatal to their own right as an abuse of it.

Mr. Wynn thought it highly proper to put an end to a practice which involved a violation of the privileges of the House, and might bring the right of petitioning itself into dispute. If the hon. baronet

was certain of the facts of which he spoke, it was his duty to follow up the assertion which he had made, and if it could be proved against any individual that he had written the name of another without his consent, he should be brought up to receive condign punishment, in the utmost severity which it was in the power of the House to inflict.

Mr. Brougham said, that the declaration of the noble lord, as to the petition before them, was very candid; but as to his argument to throw discredit on all petitions, from more than one name being in the same hand, he would put it to the good sense of the House, whether a petition containing 20 or 30,000 names was to be set down as of no weight, because one person (an enemy, he had a right to assume to the cause of the petition) had put a few names to it without authority? He did not approve altogether of the system which had been pursued with respect to petitions; he thought it would have been much wiser to let the people draw up their complaints in their own language; but he could not go the length of saying, that because they were couched in these terms, they were of no avail. As to many of the instances in which the signatures were in the same hand, he had no doubt that they perfectly expressed the wishes of those whose names were written. The signatures were frequently the names of persons who, though present and consenting, either could not write, or from being not much habituated to write, were not disposed to take the trouble. He spoke from having witnessed such scenes: while petitions were signing, he had seen persons apply to a man who was writing and was more expert than themselves, to sign for them: in very few cases indeed would it be found, that the names were written without the consent of those who bore them. As to the printed forms which were made use of, though he did not approve of them, they were not on that account to be supposed not to speak the sense of the people. He would put a case. Let the noble lord draw up a petition in favour of the gagging bill or the suspension of the Habeas Corpus, or in support of all his measures, and send them round the country, if he could obtain one tenth as many signatures as had been put to the petitions for reform, he would then agree that by such means the sense of the people could not be estimated.

Sir C. Burrell said, he had no doubt

the names put to the Horsham petition were those of persons who had given their consent to it. As to the transactions which had been said to have taken place at Carlisle, he thought the parties should be brought to the bar, and punished for their base fraud.

Mr. Bathurst said, it might easily be conceived, that the persons who took the trouble to send round printed forms of petitions, would induce persons to express grievances which of themselves they would not discover. As to the form of petition recommended by the hon. and learned gentleman, it was not probable that it would be signed by many of the distressed population; but it would have the signatures of those who would reckon by weight if not by tale, viz. the magistracy, the clergy, and all those who suffer from the outrages liable to be committed by seditious meetings. He should not object to the petition lying on the table.

Mr. Sharp supported the petition, and thought mere informality should not prevent the people's approach to that House.

The petition was ordered to lie on the table.

HOUSE OF COMMONS.

Monday, March 10.

DISTILLERIES—SCARCITY OF PROVISIONS IN IRELAND.] General Mitchell rose to present a Petition from the town and neighbourhood of Belfast, praying for an immediate Stoppage of Distillation from Grain. The petition stated, that there was a danger of an absolute want of food for the population of Ireland, a danger much increased by the great quantity of grain consumed in distillation. It was signed by every respectable gentleman and freeholder or merchant in the town of Belfast. From what he had heard the other night, he was afraid there was not much hope that a stoppage of the distilleries would take place, if he should move that the petition be taken into consideration. He should wish to know, however, whether the ministers were disposed to take any steps towards the stoppage of the consumption of corn in that manner. It had been urged, that if there was a scarcity of corn in Ireland, importation might take place; but it was to be considered, that other countries had also suffered, and that the chance of relief by drawing supplies from them was

very small. The potatoe crop it was known had failed as well as that of grain. The hon. member then read a list of prices in different parts of Ireland, to prove the scarcity of oats. The price of oatmeal varied from 26s. to 36s. the hundred weight. When a question of such importance as the supply of food to the population was under consideration, the manner in which the revenue would be affected by the measures taken, was of secondary weight. He thought, however, that the revenue would not be injured by the prohibition of distillation from grain, as the sugar now bonded in this country, would be brought forward to pay the duty from the apprehension of a higher tax which might be imposed on it.

Mr. Windham Quin said, he was convinced there was much grain in Ireland unfit to be applied to any purpose but distillation or the manufacture of starch. It was to be considered, that if by the stoppage of the legal distilleries, illicit stills were set at work, the consumption would not then be, as it was now, limited to inferior corn.

Mr. Maurice Fitzgerald said, he was surprised at what he had just heard, because on a former evening when he had brought this question before the House, the gallant officer had pronounced a decided opinion against the stoppage of the distilleries even in Ireland. It was to be remarked that the petitioners, consisting not only of the gallant officer's constituents, but of the whole inhabitants of Belfast, prayed for the stoppage of the distilleries as a measure necessary to save them from famine. If this assertion of the petitioners was true, it was certainly the duty of parliament to interfere. As to the prices which the gallant officer had quoted, if he meant to adduce them as an argument to induce the House to stop distillation, he thought he was erroneous, for he had omitted to state the prices in the distressed district. For his own part, he thought the ministers had been much to blame in suffering, when they knew in February the state of Ireland with regard to provisions, the distillation from grain to continue.

Mr. Marryat said, he had at first been of opinion, that it would not be expedient to stop distillation from grain, but that opinion had been shaken by what he had heard the other night, and still more so by the petition which had that night been pre-

sented. The petitioners referred to the high prices as proofs of the scarcity of corn; they stated, that three millions of pound weight of corn would be consumed weekly in the distilleries, if they were not stopped—though the whole of the grain in Ireland was necessary for the preservation of the lives of the people. He thought the petitioners would not have made such assertions, if the facts had not been within their knowledge, and the statement derived weight from the acknowledged character of the men, who, they were told, were well affected to the government, and thus not disposed to throw odium on the ministers, or raise a clamour without grounds. He should offer a few observations, therefore, as to the suspension of the distillation from grain. Much had been said by those who objected to this measure, as to the encouragement which would thus be given to illicit distillation. But they were told, on the other hand, that illicit distillation had already received a check from the high price of grain. When, some years ago, a committee of the House examined the subject, they were informed, that though when corn was plentiful, illicit distilleries were encouraged by high and low, yet in time of scarcity the people themselves went about pulling them down, because they consumed the means of subsistence. It had been said also, on good authority, that that description of corn was used by the distillers which was unfit for human food. This was to be taken with much allowance; it was to be recollected, that the Scotch had been exporting their inferior grain, while they had been buying up in Lynn, and the other ports of Norfolk and Suffolk, the very best barley which could be procured, for the purposes of distillation. Experiments had been made in London as to the practicability of employing damaged corn in the distilleries, and much discoloured barley had been so used. But this was grain merely discoloured on the outer husk, and still fit for human food, for as to that in which fermentation had taken place, it was just as unfit for distillation as for nourishment. The delicacy of interference on this subject had been talked of; but it was to be recollected that they had passed the corn bill, in order to protect the landholder from low prices; they might, therefore, surely protect the people from too high prices, by the stoppage, of distillation. That prices were now very high could not be denied. The quartern

loaf was here from 17½d. to 18d. and in Ireland prices were still higher. At this late period of the season it was said, but little could be saved by the measure suggested. Those who argued thus, did not take into consideration, that the distillers would apprehend that if distillation from corn were not immediately stopped, it soon might be, and they would therefore distill from the cheapest material while it was lawful, even a greater quantity than would serve the remainder of the year. The prospect of the supply from the next harvest was not good; as the corn had remained last autumn two months longer on the ground than in ordinary years, the farmers had had so much less time to prepare their ground. It was said that prices would have risen more if there had been any scarcity of corn. The present method of threshing enabled the farmer to bring it to market so rapidly that this conclusion was not warranted. Above all things, it was to be considered that if the stoppage of distilleries should turn out to be inadvisable after that measure had taken place, the evil was easily reparable: but if, on the other hand, famine was the consequence of not resorting to that precaution, a serious responsibility would rest on the government.

Mr. *Knox* contended, that the distilleries often used corn of the best quality. There was no danger at present from illicit stills, which were viewed by the people with jealousy, and were thus more effectually stopped than they could be by armies of excisemen. He most seriously urged the necessity of the suspension of distillation from grain. Tumult had already taken place, on account of the scarcity, and the stoppage of the distilleries was necessary to preserve Ireland not only from misery and famine, but from insurrection.

Sir *N. Colthurst* thought it would be highly impolitic to prevent distillation, as the distillers made use of corn which it was impossible to convert to any other purpose.

The petition was read, and ordered to lie on the table.

PETITION OF SETTLERS IN NEW SOUTH WALES RESPECTING THE CONDUCT OF GOVERNOR MACQUARIE]. Mr. *Bennet* presented a petition from a number of settlers in New South Wales. The hon. gentleman observed, that he had taken some trouble to ascertain who the

persons were whose signatures were affixed to the petition, and he found that they were not individuals sent out of this country for their crimes, but *bonâ fide* colonists. The petition complained generally of the mode in which the laws were administered in the colony, and particularly of the unjust and oppressive conduct of the present governor. On the motion that the petition be brought up,

Lord Castlereagh rose, not for the purpose of objecting to the motion, or of entering into any discussion on the subject, but to express his hope that the House would not allow any of the statements contained in the petition to operate unfavourably towards the character of the distinguished officer in whom was vested the government of that important colony. It was due to that gentleman to state that he had filled that important situation most respectably for many years. He had been appointed to it when he (lord C.) had the honour to hold the seals of the colonial department; the only recommendation which he possessed was his merit, and from all which he had since heard, he had completely fulfilled the expectations entertained of him in the administration of the government of that distant and important colony.

The petition was read and ordered to lie on the table.

PETITIONS RELATING TO REFORM, &c.] Sir R. Fergusson presented a petition from Arbroath, signed by all the respectable inhabitants of the place, and praying for a parliamentary reform, and a diminution of the public expenditure. Adverting to the assertion made the other evening by the lord advocate, that the people of Scotland were perfectly satisfied with the way in which they were at present represented, he declared that he differed from the learned lord *in toto*, for he was persuaded nine tenths of the people in Scotland were anxious for a reform in the representation.

Mr. Brand said, that his opinion with respect to the wishes of the people of Scotland for a reform in the representation perfectly coincided with that of his hon. friend. A very large majority of those who were most respectable for character and talents in that country, maintained the necessity of parliamentary reform; and it was highly honourable to them, that although they asserted their rights with ability and energy, they in no case evinced

the least disposition to recommend any thing that might lead to tumult and violence.

Mr. Boswell observed, that there was not a single petition from the landholders of Scotland in favour of parliamentary reform. In the counties, there were few freeholders who were not voters, and though the roll was small, he believed there were generally as many voters as landholders who were freeholders. The petitions sent up on the subject he did not hold to be of much importance. Many of these petitions did not express the sentiments of those from whom they were supposed to come. They were sent up to London, like children to the Foundling-hospital, and left to their fate. From one little village, which did not contain more than 15 houses, a delegate had been sent to meet the other delegates lately assembled in the metropolis. Had all parts of Scotland engaged in the cause with the same ardour, the delegates sent to discuss the question of parliamentary reform would not have been fewer than 140,000.

Lord A. Hamilton expressed his astonishment at the declaration made by the hon. gentleman, that in Scotland the voters for the counties were commensurate with the landholders. He denied that the people of Scotland were satisfied with the present state of the representation. What was meant by "the people of Scotland?" Those who had the right of voting in Scotland were, as a body, absolutely a nonentity compared with the entire numbers of the people. Many of the towns were perfectly close, the very electors electing themselves. Let the state of Glasgow or of Edinburgh be considered as an instance. Did the House think the inhabitants of either of those cities were satisfied to see its police and government in the hands of a dozen persons, self-elected, a few of whom went out annually and were re-elected, and who constituted the voters for its representation? The great advance which Scotland had made in wealth and improvement during the last fifty years, demanded some amendment in the representation.

Mr. Boswell explained. He had never asserted that the voters for counties in Scotland were commensurate with the landholders, but with those landholders who were freeholders.

The Lord Advocate of Scotland, in explanation of his statement on a recent occasion, repeated, that it was his firm con-

viction that of the classes of the people in Scotland capable of forming a correct judgment on the subject, nine-tenths did not wish for any change in the representation of that country in parliament. In evidence of this was the fact, that no petition had come to that House from the landed interest, from any corporate body, from the commissioners of supply, or from any meeting of freeholders, praying for an alteration in the existing system. The presentation of petitions from two out of all the corporate bodies of Scotland did not diminish the strength of his observation. Nor were the petitions which had been presented from many of the boroughs of Scotland in favour of reform expressive of the genuine opinion of the respectable part of the inhabitants. For instance, a petition had been presented by the hon. general from the borough of Kirkcaldy, to which not a single individual among the hon. general's constituents had signed his name; whereas a counter-declaration had issued from the same place, signed by one and all of the hon. general's constituents, and by every respectable inhabitant. What he had said with respect to the state of representation in Scotland, as settled at the Union in 1707, was, that he thought Scotland satisfactorily represented in that House, but that at all events the representation of Scotland had been settled by a Whig government in 1707. He had heard nothing to shake his opinion that that representation was satisfactory. The number of electors had considerably increased since that period, more especially in the counties; in some of which, as the noble lord well knew, the number was very seriously increasing [a laugh.] As to the municipal regulations of Glasgow, or any other place, that was a question quite distinct from parliamentary representation, and ought not to be confounded with it. And of this he was persuaded that the inhabitants of Glasgow, or any other city or town in Scotland, would much rather that the representation should stand as it did, than that the country should be exposed to all the evils of granting "the boon" (as it was called by many of the petitioners to that House) of universal suffrage.

Mr. Douglas maintained, that the enlightened part of the people of Scotland were so apprehensive of the dangers which might result from meddling with the existing system of representation, that they had serious thoughts of petitioning parlia-

ment against any alteration on the subject. In order to show the way in which signatures to petitions for parliamentary reform were frequently procured, the hon. gentleman read a letter from the clergyman of Langholm, with reference to the petition lately presented from that place, in which the reverend gentleman stated that the most shameful acts were resorted to on the occasion; and, among others that an evening school had been entered by the framers of the petition, and the signatures obtained of every child who was able to write its name.

Sir R. Fergusson said, the counter-declaration, as it was called, from Kirkcaldy, opposed annual parliaments and universal suffrage—nothing else. It most decidedly prayed for that which was so painful a subject to the learned lord and his adherents—the most rigid economy and retrenchment.

Sir M. W. Ridley said, that if the learned lord when he undertook to state the sentiments of the people of Scotland on this subject, had mentioned what the actual number of voters was, it would have been much more satisfactory to the House.

Mr. Brougham observed, that the House must consider it extremely material to know whether it was true that the petitions from Scotland, in favour of parliamentary reform, did not speak the opinion of the people of that country. The learned lord went the length of saying, that they were adverse to that measure—that they were not only not zealous for its adoption, but most anxious that it should not be even entertained. Another hon. gentleman declared that the sound part of the Scottish nation were preparing to petition against the extension of the elective franchise. From whom, he begged to ask, would these petitions proceed? Why, from the few who monopolized that right against the many under the present system excluded from the enjoyment of that privilege. What would be thought in this country of a petition from the holders of burgage tenures against parliamentary reform? Would it receive any serious consideration? There was no very great difference between such a petition and one from the freeholders of Scotland, respecting the right of representation. A man might have 20,000*l.* per annum in Scotland, and yet have no vote, whilst men without an acre of landed property had the power of returning members. The learned lord had observed, that the electors in the counties

had increased since the revolution; the fact was so, but by no means in proportion to the population that had very nearly doubled.

Lord *Binning* denied, that the petitions presented from Scotland in favour of parliamentary reform, afforded any fair criterion to judge of the well educated part of that country. The real fact was, that those reform petitions were sent to the manufacturing districts of Scotland, as they were in this country, where operating on the minds of men suffering under temporary distress, they were at once voted as a *panacea* for every evil. The enlightened part of the people were, in his opinion, wholly adverse to any change in the system of the representation.

Mr. *Curwen* could not suffer this opportunity to pass without stating what he believed to be strictly the fact—that in the county of York there were 60,000 freeholders, while in Scotland there were not above 2,000. He did not profess to know what the feelings of the great body of the people of Scotland might be on this subject, but it would be a most singular occurrence if they should petition the House against a reform. He could not believe that they would adopt such an extraordinary proceeding until he actually saw the petitions on the table.

The petition was ordered to lie on the table; as were also petitions from Montrose and Brechin.

ARMY ESTIMATES.] The House having resolved itself into a committee of supply to which the Army Estimates were referred,

Lord *Palmerston* said, that the vote he was about to propose, was for the half year ending in June next. He thought it would be proper that the general discussion should be postponed until after Easter, when the report of the finance committee would be laid on their table, and they would be called to decide on an establishment for the rest of the year. He should propose a vote for the number and charge of the land forces, up to the month of June, in order to enable him to bring in the mutiny bill, which would be co-extensive in duration with the vote. It would be a short mutiny bill, extending from the 24th of march to the 24th of June next. Another object would be to give time to consider of the means by which the remaining part of the expense of the service was to be covered. He should take a vote on those items relative to which no dispute could

arise; for instance, on the Chelsea and Kilmainham establishments, and also on the yeomanry and volunteer corps, for the half-year, ending the 24th of June. He should now state the general bearing of those estimates, and the difference in charge, compared with those of last year. The difference in expense between the estimates of the preceding and the present year, was 2,165,000*l.* The number of men voted last year, including officers and non-commissioned officers, was 196,000; the number to be voted this year, 140,000, including those in India and France—being a reduction of 56,000 men. The foreign corps being struck out of this number, the reduction, including officers, would be 33,492 men: or, reckoning only rank and file, a reduction of 26,176 men. In addition to this, there would be withdrawn from France, in April next, in consequence of an arrangement with the allied powers, 4,800 men—which, added to 26,176, would form a gross reduction of 30,976 rank and file. The first resolution which he should move was, “That a number of land forces, not exceeding 121,035 men (including the forces stationed in France); and also 15,585 men, proposed to be disbanded; and 1,863 men proposed to be transferred to the Indian establishment, in the year 1817 (but exclusive of the men belonging to the regiments now employed in the territorial possessions of the East-India company, or ordered from thence to Great Britain), commissioned and non-commissioned officers included, be maintained for the service of the united kingdom of Great Britain and Ireland, from the 25th day of December 1816, to the 24th day of June 1817, both inclusive, being 182 days.”

Mr. *Calcraft* said, he was not then prepared to enter into the subject in detail: but after the committee had made their report, the House would be able to ascertain what was intended to be done by government. What he understood was, that they were then only called upon to consent to the numbers up to the 24th of June.

Mr. *Curwen*, trusting that the committee above stairs would recommend a farther reduction of our enormous military establishment, would abstain from any observations till he saw the report. He was decidedly of opinion, that all the retrenchments which had been made were totally inadequate to the situation of the country.

Lord *Castlereagh* said, it would be better

to reserve any arguments till the House proceeded to the discussion after Easter. He should now merely state, that the 26,176 rank and file included reliefs to foreign garrisons.

Mr. Peel, in answer to a question respecting the forces in Ireland, said, that an assimilation had taken place in the services of the two countries, and a considerable saving had been made in the Irish regiments.

The resolution was agreed to. Lord Palmerston next moved, that a farther sum of 237,600*l.* be granted for the army in England, and 438,000*l.* for the land forces in Ireland. The sum for troops intended to be reduced on the British establishment would be 131,600*l.*, and on the Irish establishment 16,700*l.* These sums being agreed to, his lordship then moved, that the sum of 37,500*l.* should be voted for six months, at a calculation of 3*l.* a man for the volunteer corps in England. His lordship observed, there had never been any question as to the utility of this force; the events of the last six months had shown the absolute necessity of keeping it in an efficient state; and he was happy to say, that these corps had on all occasions conducted themselves in such a manner as fully entitled them to the consideration of that House, and to the thanks of the nation at large.

Sir J. C. Hippisley thought he should be wanting in his duty, if he did not bear testimony to the full efficiency of these corps. On two occasions, very recently, he had as a magistrate witnessed their exertions. Though scattered over a district of 49 miles, and summoned in the course of the night, they were all assembled for duty by nine o'clock in the morning. He would beg to press it on the noble lord, that the original sum of 4*l.* was fully necessary for the due efficiency of that most useful force.

Lord Castlereagh concurred most decidedly in the general merits of that species of force, than which none more constitutional could be called out in aid of the civil power. So impressed were his majesty's government with the efficiency of the yeomanry force, that unless under that conviction they would not have been justified in proposing to parliament the low estimates now in contemplation. With every disposition to afford the fullest means of efficiency, yet in time of peace he must think the allowance of 3*l.* per man sufficient.

Mr. Curwen congratulated the House

upon the perfect disposition there appeared throughout the country, to strengthen the hands of government by the powerful aid of this constitutional force.

Mr. Courtenay thought government might avail themselves of the services of that loyal body the light horse volunteers; most seasonably, and at a very trifling expense. It was only necessary to have it made known to them, to create a strong disposition to muster, under the present circumstances, for the preservation of the public peace.

Mr. Wynn contended, that the yeomanry ought not to be expected to maintain themselves. He wished their allowance to be fixed at 4*l.* per man.

Mr. Calcraft hoped, before a permanent vote was come to on this subject, that the noble lord would consider of the propriety of making such an arrangement as would satisfy those who gave up their time for the service of the country. He was glad to hear these eulogiums on the yeomanry, as he thought they would hereafter furnish him with unanswerable arguments in favour of a further reduction of the army.

Mr. Baring doubted if the yeomanry would be made more efficient by increasing their allowances. In Paris there were 40,000 national guards, well clothed, and in every respect a most efficient body of men, who did not cost the country sixpence, and whose pride it was to receive no pay.

Mr. Robinson said, the allowances could not be considered as a remuneration for the services of the yeomanry. Such an imperfect reward could not degrade them, and it was too much to expect that farmers and shopkeepers should bear all the expense of their equipments themselves.

The resolution was agreed to.

The Chancellor of the Exchequer said, the House would recollect, that 50,000,000 of francs had been appropriated by the allies to the British and Prussian armies, for their services at Waterloo, over and above their respective shares of the contributions exacted from France. Some difficulties had interposed, and as this sum could not be conveniently furnished by the time at which it was desirable that it should be distributed, a hope had been held out that a grant in advance would be proposed to parliament. The regularity with which the French government had made its payments was such, that a considerable part of the sum had been laid by, and the sum of 500,000*l.* sterling had been already ex-

pended. The advance of 1,000,000*l.* was however necessary, for the reasons he had given; but he had the happiness to say the British military chest was so well furnished, that no further provision would be required for the troops in France between this and the end of the year. The sum advanced would be repaid in that time if there occurred no failure in payment of the French contributions, which was not at all to be expected, from the punctuality hitherto observed; more especially as the withdrawing of 30,000 troops from the army of observation, would so greatly diminish the amount of the payments France would have to make. Under these circumstances, the grant he should propose must be considered as a mere temporary grant. He then moved, "That a sum, not exceeding one million, be granted to his majesty, to enable his majesty to grant unto field marshal the duke of Wellington, and his majesty's forces and those of his majesty's allies serving under his grace's command at the battle of Waterloo, and the capture of Paris, in such manner as his majesty shall direct, the sum of twenty-five millions of francs assigned to his majesty from the pecuniary indemnity payable by France under the treaty of the 20th day of November 1815, by the protocol of the ministers of the allied powers of the same date."

Mr. Baring took occasion to say a few words on the subject of an operation with which he had been connected, and which had certainly been noticed more out of that House than in it. What had been said would have little effect on him, as he was rather in the habit of consulting his own understanding to determine what it was his duty to do, than of regulating his conduct by the prejudices of others. In the present instance there had been much misapprehension as to the extent to which he had been engaged in the transaction alluded to. He had unquestionably put himself forward with other individuals, gentlemen of Holland, Hamburg, and Paris, to advance such a loan to the French government as was necessary to enable it to fulfil its engagements. Doing this he had first considered what was his duty to his country. Though, as a merchant, his conduct was regulated by views of general interest, yet in every thing that related to politics his first care was to ascertain how his country would be affected by any transaction in which he was concerned. In the present case he was sure there had

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been a British object in view, and the interest of the nation had been looked to, he believed, more than was common in such pursuits. Though not in that House, in other places, many attacks had been made on his conduct. These, he believed, arose out of some misapprehension, as the share he had had in the affair in question was very inconsiderable. This would easily be believed when he stated the operation, so far as any one in this country was concerned, to be completely closed. Supposing that no British object had been in his view, and considering the transaction to have been wholly of a commercial character, he would still contend, that no injury could be sustained by this country. A noble person who was in the habit of giving the public instruction every three or four months in pamphlets which he sent forth to the world, had noticed this transaction, in doing which he had taken some liberties with his (Mr. Baring's) name; but the principles he had advanced were in themselves so absurd that he did not think it necessary to answer them. The sum of his argument was this, that no merchant was justified in sending money out of the country. If this were admitted to be true, what, in many instances, could the merchant do? And what danger was to be apprehended, he might ask, from the conduct thus condemned? When the merchant sent money out of the country, it must always be with the certainty, with the hope at least that it would return and bring more with it. The argument, however, which had been used against him was this—that as mechanics were prohibited by law from sending their tools out of the country, so the merchant who carried on his business by means of money had no right to send his capital abroad. This was really so ridiculous that he was ashamed to trouble the committee with any further explanation on the subject. He would only say, that no harm could result from the transaction to this country. Had it been otherwise, he would have had nothing to do with it. In what had taken place, to promote British interests had been constantly his object.

The *Chancellor of the Exchequer* was persuaded no man could have acted with more candour or propriety than the hon. gentleman who had just sat down had done, in the transaction with the French government. Before he entered into any negotiation with that power, he had candidly told the government of this country

what proposals were made to him, and had expressed in the most manly manner his willingness to relinquish any share in the transaction, if it could prove directly or indirectly injurious to this country. No pledge, no guarantee, no security of any kind was given him by government; but he was told that they saw no injury whatever likely to result to the country from the loan, but on the contrary, thought it might be beneficial to Europe, and to this country in particular, by contributing to the stability of France. This was the view ministers formed of the transaction; and he repeated, that no individual could have acted with more candour, more uprightness, or more integrity, than the hon. gentleman had done.

The resolution was agreed to.

SEDITIONS MEETINGS BILL.] On the motion of the Solicitor-general, this bill was recommitted. On the clause being read, inflicting the punishment of death on such persons as shall not disperse after being required so to do,

Mr. Gurney rose and said, he must again call the attention of the House to these atrocious clauses. That their being found in the riot act of George 1st, was no ground at all for introducing them in this; the preamble of that act stating it as made against "rebellious riots, and tumults," the preamble to the present bill "that such meetings had been used to the danger and disturbance of the public peace." That, indeed, all the riot acts in which capital punishments had been awarded, went on the ground of outrage carried to a length approximating to rebellion. The first of them, 2nd and 3rd Edward 6th, cap. 5, was enacted after the rebellions of York, Devon, and Norfolk, all commencing in simple riot; the latter of 30,000 men, who beat the king's army under the marquis of Northampton, and were with difficulty overcome by Warwick. That this act was repealed 1st Mary, c. 1, of which act Mr. Gurney read from the preamble, "forasmuch as the state of every king standeth and consisteth more assured by the love and favour of the subject toward the sovereign, than in the dread and fear of laws made with rigorous pains and extreme punishments, &c. whereby people are trapped and snared, yea, many times for words only without fact or deed done or perpetrated."

—Mr. Gurney stated, that the acts of the 2nd Mary and of Elizabeth against riots,

after those which occurred on account of the changes in the religion of the country, both went on the same ground of acts of violence perpetrated, as was sufficiently proved by the giving triple damages against a less number than 12, for the property which they might have destroyed or injured.—That these laws had slept from the accession of James 1st to the 1st George 1st, when the riot act, of which the enactments were so strangely grafted into this bill, was passed on occasion of the great tumults on the impeachments of Oxford and Ormond.—Mr. Gurney expressed his decided conviction, that so far from these clauses, which were abhorrent to the common sense and feeling of mankind, having any tendency to secure tranquillity, their direct operation was, to bring the legislature into that "hatred" with the people, which the act alluded to, as arising from the artifices of disaffected men. That it was awarding to the suspicion of incipient sedition, the punishment of consummated treason; and on these grounds he trusted some gentleman more competent than himself, would move an amendment that should substitute some other punishment more commensurate with the offence committed.

The *Attorney General* wished to remind the House of the object of the bill, and more particularly the clause in question. That object was to prevent the meeting of tumultuous assemblies, and to disperse them if they should have met. The hon. gentleman who spoke last, was afraid that the clause was of a nature to excite discontent against the legislature; but there had been a long experience of a law of a similar description, and that experience had demonstrated that no such effect was to be apprehended. The clause would operate as a preventive, and it therefore was not likely that the actual infliction of the punishment it enacted would ever take place. There had been no instance of any punishment under the act similar to the present bill, which passed at a former crisis, nor under the riot act. The apprehension of punishment had prevented the offence: but how could it be expected that seditious meetings could be dispersed, if, after an hour's notice given by a magistrate, it should still be necessary to enter into par lance with the multitude? It was necessary to have a definite penalty specified, in order that the parties might know what would be the consequence of their continuing longer

together; and the severity of the punishment would be a security against the violation of the law.

Sir *James Muckintosh* considered the argument of the hon. and learned gentleman as one of a very singular kind. He had insisted on the necessity of punishing persons offending against the law, as if his hon. friend who had opposed the clause, had maintained that there should be no punishment. To agree to enact that persons persisting to remain together after notice to disperse was given, should be an offence, and yet to say that no punishment should be inflicted on the offenders, was an absurdity of which his hon. friend certainly never was guilty. The question was, whether the punishment of death was the proper punishment for the offence. The hon. and learned gentleman had stated, that there had been no instances of punishment under the similar clauses in the riot act, and the act of 1795, which he believed was the fact; but if there had been no cases of punishment, the inference was, that there had been no occurrence of the offence. The multiplication of unnecessary statutes, and the enacting of penalties too severe in proportion to the offence, only tended to weaken and degrade the authority of the law. The order of the magistrate to disperse, it was supposed might be disobeyed. That disobedience would either bring the parties offending within the riot act, or it would not. If it brought them within it, then this clause was useless; for what necessity could there be for loading the statute book with sanguinary enactments? If it did not bring the parties within the riot act, then this bill went farther than that act, by punishing a less offence with equal severity. He would ask the committee whether they were prepared to enact a law more severe than the most sanguinary of the criminal code of this or of any other country, namely, the riot act?—a law which nothing could excuse but the peculiarly difficult circumstances of the period in which it was passed. He must again ask, of what use the clause could be if it enacted nothing more than was already enacted by the riot act? and unless he received a satisfactory answer, he would propose to leave out the words, “shall suffer death without benefit of clergy,” in order to substitute the punishment of transportation for not less than seven and not more than fourteen years.

The *Solicitor General* saw no reason for

the amendment suggested by the hon. gentleman. Many laws were enacted merely with a view to the prevention of crimes, and it was therefore very inconsistent to contend that such laws were useless because no punishments had been inflicted under them. That circumstance rather proved that they had answered the purpose for which they were enacted. On this principle it might be said, that the riot act was unnecessary; for he did not recollect one instance of the trial of any persons for not dispersing within an hour after proclamation under the riot act had been made; and yet no statute had been of greater advantage to the country than that act. The hon. gentleman had observed that the clause either came within the riot act, or did more than that act. It certainly did do more than the riot act in the way of preventing disorder. According to the riot act, persons must not only be assembled, but must be assembled riotously and tumultuously. The object of the present bill was to prevent assembling at all except under the sanction of lawful functionaries, as he might call the magistrates, who were to superintend such meetings; and the clause in question gave to magistrates authority to disperse meetings so assembled, though there might be no actual riot or tumult. As the object of the bill was to prevent riot, it must be regarded as wise and proper to put the offence contemplated in the clause on the same footing as resistance to a proclamation under the riot act. The House, too, would bear in mind that this bill was not proposed to be permanent, like the riot act, but to be passed to remedy a temporary evil. The offence was not one for which any reasonable excuse could be offered. It was not one committed on a sudden impulse of passion or inadvertently. The penalty did not attach, unless the persons assembled should continue together one hour after proclamation made by a magistrate for their dispersion. Now, unless assembled for some other purpose than passing resolutions or agreeing to petitions, it was not probable that any individuals would resist the order to disperse. This was the effect he anticipated, and consequently expected that the punishment enacted never would be inflicted. He was far from wishing for sanguinary laws, but he was convinced that the effect of the present act would be greatly weakened were any alteration to be made in the clause under consideration. Many per-

sons, he was persuaded, would risk the staying together, if the punishment were only transportation, who would not venture to resist the law if they knew that such resistance made them liable to suffer death.

Mr. *Barclay* wished to know whether it was meant to assert, that when proclamation had been made under the riot act, it had always happened that the persons assembled dispersed in due time, and returned to their homes? For his part, he believed the contrary was very frequently the case. There having been no punishment under the law was no proof the offence had not occurred. In his opinion the severity of the punishment had prevented prosecutions. He trusted that his hon. and learned friend would propose the attention which he had suggested in the shape of an amendment.

Mr. *W. Smith* was of opinion that the solicitor-general had not been aware of the consequences which might follow his argument, nor the extent to which it might be carried. Humane and mild in his disposition, as that hon. and learned gentleman was justly acknowledged to be by all who knew him, he was afraid he had on the present occasion been unfortunately misled. He had described the offence as deliberately committed. What crime might not be punished on the same grounds? The law obviously defeated itself by its own severity. Suppose, for example, that the infliction of torture was still a part of the law of this country, the same argument might apply to it in this case. If the crime was to be prevented by the severity of the punishment, why, he would ask, had the hon. and learned gentleman not proposed that the punishment of high treason should be inflicted? He begged the hon. and learned gentleman would really consider the nature of the case before he proposed so dreadful a punishment. Men met together to debate on a given subject and to come to some resolutions on that subject—a justice hearing of the meeting comes forward and orders them to disperse—they are, it may be, disposed peaceably to debate whether they shall disperse or not, and while they are occupied in so doing the hour elapses—they then become subject to this dreadful punishment merely because they have, perhaps, been disposed to doubt the propriety of the justice's conduct and have remained a little longer together. This view of the case struck him very forcibly. A pickpocket might be considered a deli-

berate offender. His stealing was certainly a deliberate act. If, therefore, the deliberate manner in which the persons remained together was to be considered a sufficient ground to justify the infliction of death, there was no saying how far that punishment might be awarded. Between the riot act and the one now before the committee there was no comparison. The riot act supposed those against whom it was directed, were violating the public tranquillity and committing outrage. The one now before the committee subjected those who did not disperse in one hour after proclamation, to the same dreadful punishment as if they had been guilty of the most aggravated crimes. It was a matter of no moment, whether they were peaceable or not; it did not avail them any thing to have conducted themselves in an orderly manner, for the punishment was the same. Viewing, then, the subject in this most serious light, he hoped his hon. friend would move the amendment he had already suggested.

Sir *J. C. Hippisley* said, it was now a century since the riot act had passed, and it had proved of the greatest advantage. He had recently had personal experience of its utility. In the course of last week he had felt it to be his duty to read the riot act to an assembly which, though not actually riotous and tumultuous at the time, had riotous objects in view. Had the act been less penal, he was convinced he should not have had sufficient influence to cause the dispersion of that assembly. He was perfectly confident, that it was only by his stating to the people the high penalties to which they would expose themselves if they continued together, that he prevailed on them to separate. If the punishment under the riot act had been transportation, he certainly should not have succeeded. With regard to the difference between the present measure and the riot act, the important difference with regard to the number allowed to continue together had not been noticed. Under the riot act the number was twelve, but by the bill now under consideration it was fifty. He would vote for the higher penalty, as he considered it necessary for the peace of the country.

Mr. *Wynn* decidedly thought the act would be of no avail unless the punishment of death was the consequence to those who violated it. Not to disperse after the proclamation was read, was an act of the highest rebellion, and certainly en-

titled those who were guilty of it to the severest penalties of the law. The very circumstance of no case having ever occurred under the riot act, where death had been inflicted, showed the excellent effects that the dread of that punishment had on the mind. Convinced that those who should violate this act were guilty of direct and open rebellion, he did not by any means conceive the punishment disproportionate to the offence, and should therefore give it his support. Every circumstance connected with the present times justified its being the case, and led him to think it indispensably necessary.

Sir James Mackintosh agreed with his hon. friend, that such a punishment could only be justified on the ground of its being applied to rebellion; but he contended that the offence was not one of that description. When the punishment of death was inflicted under the riot act, it was for actual violence and resistance; but here it was proposed to enact the same punishment for the mere non-compliance with the order of a magistrate. A century ago, it had been thought fit to punish resistance to a magistrate with death; but he called upon any hon. gentleman to show any instance in which the law of England had made non-compliance with the order of a magistrate an offence punishable with death. He now moved, that the words "shall suffer death as in case of felony, without benefit of clergy," should be left out, and the words, "shall suffer transportation for the term of 7 years," inserted in their stead.

Lord Castlereagh said, that many gentlemen had appeared disposed to seize upon the present opportunity to discuss the abstract question of crimes and punishments, but into that branch of the subject he should not enter. With regard to the riot act, he was of opinion that there was not on the statute book a law which had been more advantageous to the country. The question was not whether the principle of the riot act was applied to the present bill, but whether there was a necessity for the measure. There was this difference between the two laws, that the riot act was applicable to tumult which had commenced, or was intended; whereas the present bill was intended, not merely to stop the incipient but apprehended riot. An hon. baronet had stated to the House, that he had dispersed persons because he knew they had assembled for a riotous purpose.

The operation of the riot act was not, therefore, merely confined to actual riot. He would contend, that whenever resistance should be made to the order of a magistrate under this act, there would be such an opposition to the law as constituted rebellion, and he would ask, whether it was more prudent, by mitigating the penalty, to invite the people to make resistance, or to arm the magistrates with that precautionary authority which would enable them to preserve the peace? If the two laws, the riot act and the present bill, were allowed to go into concurrent operation with different penalties, the result of that operation would be the greatest inconsistencies. Suppose in the same field one magistrate should order the people to disperse, under pain of transportation, and in another part of the same field the riot act should be read, it would be impossible for the persons assembled to know to which penalty they were exposing themselves. He could conceive nothing worse than to leave any doubt on this subject, and therefore thought that the House ought to be guided by the principle of the riot act. He was confident that the amendment would not be adopted unless it was determined that there should be a complete doubt raised as to the situation in which persons assembled in opposition to the act should stand.

Mr. John Smith said, he was not quite old enough to remember the riots of 1780, but he should like to know if the riot act was found useful either then, or in 1793, when Dr. Priestley's house was burnt down. In 1780, as he was informed, the riot act was read many times without effect. He could not help thinking, that with men of common sense the apprehension of the penalty of transportation, which they knew would certainly be enforced, would go as far to deter them from disobedience to the law, as the threat of a higher punishment, which they might hope would not be inflicted on them. In the course of his experience he had always found, that when death was the punishment for slight offences the difficulty of prosecution was almost insuperable.

The Attorney General condemned the distinction attempted to be set up between a mere non-obedience to the law, and a resistance to the law. Perhaps some of the hon. members opposite thought the meetings, on receiving the command of the magistrate to disperse, ought to deliberate whether they were to disperse or not.

Mr. Serjeant *Best* observed, that the punishment in the present law was not more severe than that in the act of 1796, and the subsequent acts.

Mr. *J. H. Smyth*, of Cambridge, thought the punishment of transportation, the second in point of severity in our law, was sufficiently severe to deter from the offence against which they were now legislating; and of two punishments, both effectual to the object in view, it became them to take the lighter.

The committee then divided: for the Amendment, 26: against it, 70:

Sir *James Mackintosh* said, he had another amendment to propose in that most important clause which related to public meetings—not meetings held without observance of the conditions required by law, but all meetings whatever—meetings legally holden in pursuance of notice properly given by seven householders. He had no objection to the first part of the clause, that part which authorized magistrates to take into custody any person who proposed an alteration of any thing established by law, otherwise than by the authority of King, Lords, and Commons: neither should he object to the words “or shall wilfully and advisedly make any proposition, or hold any discourse for the purpose of meeting and stirring up the people to hatred or contempt of the person of his majesty, his heirs, or successors.” All libellous and slanderous words against the king, or person exercising the sovereign authority, were perfectly inexcusable—they were inexcusable when they referred to acts done in the exercise of the royal authority, because this was transferring the responsibility from the ministers of the Crown to the sovereign. If they referred to the private conduct of the sovereign, they were equally inexcusable—for he held that all conduct purely private, whoever the individual might be, ought to be exempted from animadversion. His objection was to the same power being given in the case of propositions stirring up the people to hatred or contempt of the government or constitution of this realm as by law established. No man in that House would say that there was any intention of using the word government in any sense where it might be confounded with administration—that there was any intention of putting a stop to the canvassing all measures of administration, the proceedings of both Houses of Parliament. But if that were true, what was the use of

inserting the word “government.” It was either no more than constitution, and in that case it was unnecessary, or it was meant for administration, and in that case it was mischievous. He desired to have some sense of the word government adjoined in which it was different from constitution. The use of the word government in this clause could have no tendency but to create the most dangerous misapprehensions, and the greatest confusion in all public meetings. The House had received many petitions complaining of many acts of the legislature, and they always received such petitions when there was no intention to insult the House. But the right to present such petitions involved the right to discuss the subjects contained in them. He should propose, therefore, that which would leave the beneficial operation of the clause as full and entire as before, without giving a latitude of discretion to bigotted, servile, and narrow-minded magistrates. He should propose the omission of the words “or the government,” leaving the passage to run, “or the constitution of this realm as by law established.”

The *Solicitor-General* contended, that the word government had been used in every indictment for high treason from the earliest times. The persons indicted were charged with levying war against the king, and insurrection against the government. In all indictments in cases of sedition and seditious libels, the word government of the country was constantly used, as a phrase which no lawyer could misapprehend. He should not wish to have the word constitution left out; but if they were to leave out one of the two words, standing there as a lawyer, he would rather leave out the word constitution than the word government, as the latter word was better known in the language of the law.

Mr. *Wynn* agreed that the word government was better known to the law than the word constitution, and that it was a proper expression in the clause, but he objected to the clause altogether, as the only end which it could be intended to answer was provided for in the former part of the bill, or by the law as it at present stood. It would be better to allow the justices to prevent such meetings when they thought the terms of the notice improper, than to give them the power of dissolving them when a great number of persons were collected together, the exercise of which would lead to disorder.

Mr. *W. Smith* wished to know whether it was to be understood that all power of assembling to petition for parliamentary reform was taken away by the present clause? If that had been the intention of the framers of the bill, what more could they have done? Persons who convened meetings to petition for reform were obliged to prove that there was something wrong in the constitution of that House; and how was that to be done, without saying something which might be construed into an intention to bring the constitution into hatred and contempt? He should take, for instance, the septennial act, which was a part of the established law. If any one were to tell the people that this act was an infringement on the rights of the subject, or a gross fraud on the people, would it not be said that his speech came within the clause? Now would they vest in any magistrate the power of going to any meeting, and at once dissolving it? As no one supposed that to petition for parliamentary reform was unconstitutional, to put into the hands of the magistrates the power of preventing meetings to petition was surely unconstitutional. They might judge of the construction which magistrates might put upon parliamentary reform meetings, by the words of a report made in another place. That report talked of the Union Clubs as professing to support parliamentary reform, "by which they understand universal suffrage and annual parliaments, projects which involve not any qualified and partial change, but the total subversion of the British constitution." For his own part, he was not friendly to these measures, which he thought would be most injudicious alterations and not reforms, but he did not think them subversive of the constitution. There were indeed very high constitutional authorities against that assertion. However, there might be found in the country, magistrates who thought that much less important changes than these would be subversive of the constitution. If the real intention of the bill was, to prevent parliamentary reform, it should be so avowed.

Lord *Castlereagh* said, that the magistrates were by the same bill invested with a discretionary power as to Debating Societies. He did not think they incurred any greater risk, by granting them the discretion to determine whether the proceedings at a meeting, convened by seven householders, tended to parliamentary re-

form or to sedition. As to the case which the hon. member had put, he apprehended a magistrate would be not only blameable, but punishable, if he attempted to interfere with a debate, even not very temperate, on the state of the representation of the people. But when he had fully admitted that an exercise of the discretionary power against such meetings would not be justifiable, would it not be conceded to him, that when discourses were held, manifestly tending to sedition, there should be some power in the magistrate to put a stop to them? It would be afterwards left to a jury of his countrymen to determine, whether the magistrate had acted warrantably, or whether he had strained the power granted for the prevention of sedition, to the suppression of constitutional discussion. The House must take the course marked out in the clause, or leave the public mind open to all the inflammation which these meetings might be used to extend.

Mr. *Lyttelton* said, he had given his vote for the mitigation of the punishment to transportation in the former clause, not from any design to clog the operation of the bill, but from a conviction that it would be equally efficient if the amendment had been carried. He had the same feeling as to the amendment now proposed, and he supported it, not from any idea that the word "Government" would be misunderstood in that House, but because there was a great popular misapprehension as to the import of that word. The looseness of expression which prevailed, was to be attributed to the freedom which the people enjoyed, and which rendered it unnecessary to weigh minutely every word which fell from them. Was it not usual, he would ask, to apply the word "government" to the administration, and might not the most loyal man in the course of a long speech speak of the government in a way which, though his meaning might be perfectly justifiable, would bring him within the letter of the law, and enable some officious magistrate to put him on his defence? As all that could be meant might be comprehended in the words, "constitution as by law established," he should vote for the amendment.

Mr. *Bathurst* thought no one could be so ignorant as to understand by the word government, the administration of the day. As it was only the perversion of the law by ignorant men which could be ap-

prehended, it was an objection which equally applied to all discretionary power.

After some further conversation the amendment was negatived. On the reading of the next clause, for apprehending persons who offended as before described,

Sir *S. Romilly* proposed to leave out this clause altogether. He wished to know how the learned gentleman opposite, who had paid so much attention to this act, could explain the operation of this clause. Dreadful penalties attached to persons not dispersing, or who obstructed the arrest of any persons by the magistrate. Now, if it should turn out that the magistrate had acted wrong, had arrested a person for no sufficient cause, would this error of the magistrate be a good plea for a person who should be tried for obstructing, or for not dispersing; or would the penalties still remain, and thus be made to depend on the bare opinion of a magistrate, and that, possibly, an erroneous one?

The *Attorney General* conceived, that the clause was sufficiently explicit. If a man should make any treasonable proposition, he was to be seized, and not otherwise; if the meeting adopted the treason by obstructing the arrest of such a person, it was to be dispersed and not otherwise.

The *Solicitor General* said, that a magistrate would by this clause have the power which he possessed in every other case, with this difference, that he would act on what he heard as well as on what he saw. He was in the legal predicament of a constable or magistrate, acting "upon the view." He was also responsible for any abuse or misapplication of his power.

Sir *S. Romilly* said, that the clause before the committee pretended to give certain privileges to assemblies convened by seven householders; but under the construction now put upon it, he had not the least difficulty in asserting, that it would be far better that the clause should be expunged, since some officious magistrates might only make it a pretence for denouncing the most peaceable and constitutional meetings, and arresting all those who took part in the discussion. The clause, as at present framed and understood, tended rather to occasion riot and confusion, than to prevent sedition and rebellion. The most important rights might be invaded, if it were not amended. Suppose, for instance, at an assembly legally convened, a gentleman should state, that

it was a mockery upon the constitution that Old Sarum should have as many representatives as Westminster, some justice of the peace might think that, as by the law and constitution, Old Sarum was allowed that privilege, it was illegal and seditious to assert that it was a mockery, and the result might be the dispersion of the meeting. The whole representation of Scotland was in his (sir *S. R.*'s) opinion no less a mockery; and yet if that opinion were stated out of doors, any magistrate might step in with his constables, arrest the individual, and dissolve the meeting. This pretended privilege on the signature of seven householders was nothing more or less than an allurement to mischief.

Mr. *Harvey* contended that the case put by the hon. and learned gentleman would not justify the magistrate in apprehending any person at a meeting which had been legally convened.

Mr. *Serjeant Best* contended, that the object the clause had in view was not the mere words spoken, but the intention with which they were uttered.

Lord *Castlereagh* argued, that the clause did not give the magistrate a greater power than he had at present. By the existing law a magistrate, if he heard seditious words, might order the person uttering them into custody. If the meeting at which they were uttered exhibited any tumultuous disposition, he might read the riot act, and order them to disperse. Did the committee mean to circumscribe the existing power of the magistrate? They must choose between leaving the magistrate his ordinary jurisdiction, or making these meetings sanctified places, in which treason and sedition might be vented with impunity.

Sir *S. Romilly* said, that if the noble lord was right, the proposed act was altogether nugatory.

On a division, there appeared: for the clause, 43—against it, 16. Sir *J. Mackintosh* proposed that the exemption extended to lectures in the universities, the inns of court, and Gresham college, should be extended to the East India college, to places for lectures in medicine, surgery, chemistry, or to any lectures really and *bona fide* intended for the improvement in learning, the sciences, and the arts. The amendment was rejected, with the exception of the part referring to the East India college.—On the clause declaring the societies called Spencean Philanthropists to be unlawful combinations,

Sir J. Mackintosh said, that he was quite ashamed to have the names of such contemptible enthusiasts introduced into a solemn legislative enactment.

The *Attorney General* said, that he felt as much contempt for those poor lunatics as any one could, but he expressed his conviction that the clause should stand, because they were making numerous proselytes.

All the clauses being gone though, the House resumed, and the bill was ordered to be reprinted.

HOUSE OF LORDS.

Tuesday, March 11.

ABOLITION OF SINECURES, USELESS PLACES, &c.] Earl Grosvenor rose, pursuant to notice, to submit some resolutions to the House on the subject of sinecures, useless places, and the granting of offices in reversion. The subject, he observed, was at all times important, but particularly important at the present moment, considering the state of the public mind; but he did not agree with the noble earl opposite, who had on a former occasion said, that it was not material that the matter should be brought under discussion at an earlier period of the session. The noble earl probably alluded to certain measures which were stated to be in contemplation for the reduction of sinecures and useless places; but he did not feel himself justified in placing much reliance on hopes held out by ministers; and more especially on a subject like this. What he contended for was this—that their lordships ought to take the subject into their own hands, and give a distinct and solemn pledge to the country upon it. It was, however, with considerable pain that he now brought the matter under discussion, not merely on account of the delicacy of the subject, and the prejudices connected with it—not merely on account of the negatives which he had met with, when on former occasions he called the attention of the House to this matter; but also on account of the critical situation of the public mind. In looking at that situation, he could not view it without something like despondency; not from any such alarms as the noble lords opposite felt, but from the mistaken notion which the executive government appeared to entertain of the character of the people of England. They totally misunderstood the open, generous, liberal, and manly character of the people, whom they

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charged with disloyalty and disaffection; and with that opinion, adopted measures which might be attended with the most fatal consequences. The ground on which those measures had passed, was an imputation of disloyalty on a great portion of the British public.

With respect to the question which he was about to submit to their lordships, although he did not despair, and although he held in contempt the doctrine of the poet that

“When vice prevails and impious men bear sway,

The post of honour is a private station;”

(he by no means meant to apply this quotation to his majesty’s ministers), he certainly feared that he should not meet with adequate support. The subject had been so often discussed, that much novelty, could not be expected, and he should confine what he had to say within as narrow bounds as possible; and so he wished that the various petitions on the subject of retrenchment and reform should be entered as read. Their lordships would observe, that, though these petitions differed materially as to the nature and extent of parliamentary reform, they all agreed in condemning useless places and sinecures, and in calling for economy and retrenchment. Many a long and weary contest had he had with the noble and learned lord on the woolsack on this subject. The argument of the noble and learned lord was, that innovation was a dangerous principle; but, adopting the language of a celebrated dramatic poet, he might say, that it might be dangerous to eat, drink, or sleep; but that out of the nettle danger, they would pluck the flower safety. The object of the noble and learned lord was to embrace the constitution as it was, with all its decays and corruptions. His (earl Grosvenor’s) object was, to cut off the gangrened limb, and restore the constitution to its full health and vigour. On former occasions he had been met by the objection, that this was not the proper time—that it was a period of war; and he was asked whether he would set about building his house in a hurricane? And he was apprehensive that, though this was a time of peace, he should still be met by the old objection—that this was not the proper time. In his present view of the subject it would not be necessary to enumerate all the sinecures and useless places at home and in the colonies, which gave so much improper influence to the ministers

of the Crown, the masterships of the revels, and such places, sometimes given, to the amount of 5,000*l.* each, to children of two or three years old. Into these details it was not necessary for him to enter. He only called upon their lordships to night to declare their opinions on the principle, and to vote that sinecures and useless places ought to be abolished. He did not wish to throw imputations on individuals. There was no demerit in holding these offices; and if indignation were felt on the subject, the public indignation ought to be directed, not against the individuals holding the offices, but against the offices themselves. His object was to procure a vote of the House that these sinecures ought to be abolished on the fall of the lives of the persons by whom they were now held. The very name of these sinecures excited disgust; and a great and eminent lord, who once sat on the wool-sack, had this opinion of them.

It had been objected, on former occasions, that sinecures ought to be reserved for the reward of distinguished services: but it seldom happened that, when such services were to be rewarded, any sinecure was vacant; and in reality it was well known that for the most part they were not the reward of great and distinguished public services. Witness the instances of Marlborough, Nelson, and Wellington. There were, however, some eminent exceptions; such as his noble friend the auditor of the exchequer, and the noble earl opposite, who had been much employed in the public service. He might be told, that it had already been recommended to abolish several sinecures—the surveyer-generalship of the Isle of Wight, the wardenship of the Cinque ports, the clerkship of the pells, the justiceship in eyre, and four offices in the exchequer; but then he wished their lordships to give a distinct pledge on the subject. He was not called upon to place implicit confidence in what he heard; and he had so often found these things come to nothing, that he did not feel satisfied without a pledge from their lordships: and, besides, though the Commons might think that these offices ought to be abolished, their lordships might, perhaps, unless they gave that pledge, be of a different opinion, as on former occasions. The object, then, of the first resolution which he should propose to their lordships was, to procure their vote that sinecures ought to be abolished. The object of the second resolu-

tion was, the abolition or regulation of useless places. He was aware that the noble earl opposite had laid a paper on the table relative to that point; in the examination of which he would not take up their lordships' time. The noble earl might say, that a great deal had been done by a committee appointed by the treasury board: but the paper in question, if it showed that something was done, also proved that a great deal was still to be done. Two inspectors-general were continued at large salaries; and in the barrack department, great reductions might have been made which had not taken place. The treasury board itself might have done all that had been done by its committee, and much more. These things they ought to have done, and not left others undone. The treasury might have reduced the salaries of those under their own control; for instance, that of the resident at Lisbon, whose salary was greater than that of the ministers who had been sent thither—certainly not greater than that of the present president of the board of control. There were other offices which had not been considered, though they well deserved consideration: the office of the secretary for the war and colonial department, for example—that was a question which ought to have been considered. There was another office, also, which he had mentioned on a former occasion, which he conceived to be not only useless but illegal; and that, also, ought to be abolished. It would also have well deserved consideration, whether the office of one of the paymasters of the Army, and whether the offices of two of the lords of the Admiralty, might not be abolished. It had been said that the board of admiralty was a school for young politicians. If so, these young politicians ought certainly to pay 1,000*l.* a year instead of receiving it. He had himself on one occasion been in the admiralty, and he remembered that the course of education which he received, was to have some large volumes of statutes relative to the Admiralty put into his hands, which he was desired to read all over, and these contained frequent references to other acts of parliament. The late lord Stanhope had read the whole statute book, but he believed few others had done so. However, he had been desired to read over these statutes, which he did not feel at all inclined to do; but as to the duties—he had been certainly very often called upon

to sign his name, so that the office was no indifferent school for writing: still if the first lord of the Admiralty had consulted them frequently, these additional lords might perhaps be considered as of some use, especially if they were naval lords; however, he believed that the first lord of the Admiralty was not in the habit of consulting them. All these offices therefore were very proper subjects for consideration.

An act had lately passed for authorizing the receiving of voluntary contributions from certain offices; and it was said, that this had been done on various occasions: but he could not agree that those who were employed in the active service of the state ought to be called upon so to contribute from their salaries; at least there was only one case in which such contributions might be proper, to a certain extent; and that was, when the salaries had been considerably increased a few years ago, during the depreciation of the currency. In such a case some contribution from these offices might be proper: but, generally speaking, nothing ought to be taken from the salaries of those employed in the active service of the state. It was not the active bee, but the idle drone that ought to give up his emoluments. After the example which had been given by one nobleman, who had held a large sinecure, it might be expected that others would follow. But a noble lord had, on a former occasion, recommended that the landed proprietors should contribute. Such however, was the general distress of the country, that none were exempt from it except those who derived their incomes from the taxes; and the distress was very heavy on the landed proprietor. A friend of his had told him, that the distress was so great, and the tenants so unable to pay that his present income was no more than that which he had formerly paid in property duty; so that had not the income tax been taken off, he would have had nothing to live upon. Whether the distress was generally felt by landed proprietors with such severity, he could not undertake to say: but it was unquestionable, that they were exposed to a very heavy pressure.

The third resolution which he intended to propose to their lordships, had for its object to put an end to the practice of granting places in reversion. Unless an end were put to that practice, no good could be done; and neither sinecures nor useless places could, to any very great ex-

tent, be abolished or regulated. The fourth resolution was of a more general nature, and related to the subject of reform, for which this was a proper time. He earnestly requested the attention of the House to the state of the public mind; not as a mind filled with disloyalty and dissatisfaction, but as one calling for some reform. The want of reform was considered as a practical grievance. The people thought that, in the present state of the representation, they had not that check and control over the conduct of the executive government which they ought to have; and without some reform the public mind never would be at peace. No people ever were more attached to their institutions than the people of England were to what they considered as the true and genuine constitution of their country. The public mind had become more enlightened, and the people in general understood what were their rights and privileges much better than formerly; and were naturally anxious to have that to which they conceived themselves entitled. These opinions were not confined to England, but were circulated throughout Europe; whether derived from the American or French revolution, it was not, for the present purpose, very material to inquire. But the sentiment had embodied itself in the minds of the European population; and all the power of governments, though accompanied with racks and tortures, would never be able to crush it. The public mind never would be satisfied till the people, all over Europe, obtained what he wished to God they might obtain—a fair representation. An able and eloquent writer had attributed the downfall of the French monarchy to clubs and corresponding societies, and those practices which were at present made the ground of the suspension of the Habeas Corpus act: but he considered those practices not as cause but effect. They were the effect of dissolute morals and manners, of financial embarrassments; and above all, of the despotic nature of the French government. Many a government had begun under the happiest auspices, and ended as the French government had done: "Fair laughs the morn, and soft the zephyr blows,

Whilst proudly riding o'er the azure realm
In gallant trim, the gilded vessel goes;
Youth at the prow, and pleasure at the helm,
Regardless of the sweeping whirlwind's sway
That, hush'd in grim repose, expects his even-
ning prey."

He could not help now saying a few words with respect to a matter personal to himself. He had on a former occasion been called to order for naming certain members of the executive government in the other House. He had been made in some quarter to say, that by the suspension of the Habeas Corpus act the liberties of the people would be placed at the mercy of such and such persons. Now, he had not made use of these words; and he was desirous that this should be understood lest an impression should prevail any where, that he acted from any personal motives, instead of acting on public grounds. But it was on public grounds alone that he proceeded; and he protested and declared, that if his noble friends near him were to become ministers, and were to act on the principles which appeared to govern the conduct of the present ministry, he would oppose them. The ministry which he wished for was one which would look, not merely to the prerogatives of the Crown, but also to the privileges of the people; a ministry which, while it steadfastly regarded the prerogative and dignity of the Crown with one eye, would regard the privileges of the people no less steadfastly with the other; and if the caprice of the sovereign should at any time call upon it to deviate from these principles, he wished for ministers who would resign their places rather than comply. He did not oppose the present ministers on any personal ground; and he earnestly and solemnly intreated the House, and especially the bench of bishops, to recollect, that if it was possible that a people should conspire against their government, it was also possible that a government might conspire against the people. There was one point more to which he wished to call the attention of the House. The saving, as it appeared from the papers on the table, amounted to 50,000*l.*: but the excess of salaries lately created amounted to 126,000*l.*, or from that to 170,000*l.*! from which their lordships would perceive, how small in comparison the saving was. He proposed then, these four resolutions;

1. "That it is the opinion of this House that all sinecures in the patronage of the Crown ought to be abolished after the expiration of the subsisting interests.

2. "That all useless places should be abolished or regulated forthwith.

3. "That for the future no places should be granted by the Crown in reversion, as tending to prolong and perpetuate useless

offices, and to render inadequate the discharge of those to which active duties are annexed.

4. "That it is more especially the duty of the House to adopt the foregoing resolutions at a period of unusual difficulty and distress, and of universal petition for economical reform and retrenchment."

The Earl of *Liverpool* observed, that the noble earl who had just sat down began the speech which contained the grounds on which he had submitted his resolutions to their lordships consideration with a general eulogium on the loyalty of the people, which he seemed to think there was a disposition on the part of government and parliament to libel. He should be glad to know whom the noble earl considered as the people of England? Was it those who were disaffected to the government and constitution of the country? Was it those who had lately assembled at certain meetings—the meetings at Spafford, and others of a similar description—whom he considered as the people of England? In the noble earl's general eulogium on the loyalty of the people, he was sincerely disposed to concur; but he believed that no man who fairly considered what had recently been the state of the country, what the probable effect of the treasonable practices which had been disclosed, but would agree that precautionary measures were necessary; not indeed on the supposition of disloyalty in the great body of the people, and therefore not adopted against them; but for the protection of a loyal people against those who wished to seduce and demoralize them. When the noble earl said that the bill which had passed for the suspension of the Habeas Corpus act, and those now in their progress before parliament, had excited discontent and dismay, he asserted what appeared to him completely contradictory to the real state of the case. Where were there any evidences of discontent or dismay since these measures had been originated? Let the noble lord, on the contrary, compare the despondency which existed a few weeks ago, with the state of the public mind now, and judge fairly of the difference. What had been the effect of the measures introduced by his majesty's government, and already, in part, sanctioned by parliament? It was to be seen in the removal of that apprehension and despondency which had prevailed; it was to be seen in the ameliorated state of the public mind and public

credit; as was evident from the very considerable rise of the funds which had taken place. He certainly did not mean to undervalue that consideration which was due to the measures which had been adopted, or to insinuate that the grounds on which they were proposed ought not to be jealously canvassed; but this he would maintain, that their immediate consequence had been the restoration of public credit and confidence. With regard to the only one of those measures which as yet had passed through all the forms requisite to render it a law, nobody regretted its necessity more than himself, but it was rather singular that the noble earl should regard it as so peculiarly objectionable. The noble lord ought not to deal quite so hard with those who now supported the suspension of the Habeas Corpus, act as he had voted for it himself not less at least than 6 or 7 times. It was true, the noble earl would say, that when he so voted, the circumstances of the country were very different, and that the present circumstances did not call for such a measure. This however, was what he disputed; and whether the circumstances of the country now required the passing of the suspension of the Habeas Corpus act, was not a question to be argued between him and the noble earl—it had been decided by parliament. Before he proceeded to make any remark on the objects of the resolutions themselves, he must observe, that it was possible for resolutions to be so drawn as to contain nothing objectionable on the face of them, and yet to be such as it would be very improper for that House to adopt. A subject might be stated which would be a very fit one for inquiry, in certain circumstances: and which would be unfit in others. It certainly would be neither regular nor proper in their lordships to go into an inquiry on the subject of the resolutions proposed by the noble lord, with a knowledge that an investigation on the same subject was in progress in another place. It was also to be considered, that this was a branch of legislation not so appropriate for their lordships deliberation; and that if the noble earl's resolutions were adopted, it was not easy to see how any practical measure could be founded upon them. The first resolution which the noble earl proposed to move was for the abolition of sinécures. Now, the question he would wish to ask on that resolution was, what the noble earl meant by a sinécure? He would contend, that no

noble lord could give a distinct answer to the question. He would be glad to be informed, how any definite meaning could be attached to the word sinécure. The noble earl would find the term sinécure-office in a bill which had been introduced into parliament; but neither in that bill, nor in the long list of officers pointed out as fit objects of regulation, by a report of the other House, could any one be found to which the term sinécure would with propriety attach. To certain offices in the exchequer this term had often been applied; but were they really sinécures? On the contrary, they were offices of high importance and great pecuniary trust. It might be proper to regulate them: it might or it might not be proper to find other means for rewarding merit than the existence of these offices presented. This was a question he did not at present mean to argue; but what he contended for, and would maintain, was this—that if the noble lord regarded any one of these offices as a sinécure, in the proper sense of the word, he was most completely mistaken. They were all offices of trust demanding not merely a responsibility of character, but a pecuniary responsibility, and security, was given to the public by the individuals who held them. Whether the employment of them in rewarding public services was wise or not, was, as he had already stated, an entirely different consideration. In fact, the term sinécure, applied to any office of the state, was a perfect nickname. The noble earl called to abolish something of which the House knew nothing, and the existence of which he could not point out. Where were those sinécures the noble earl would abolish? And how many were there of them? He should be glad to hear any noble lord answer those questions. Here he begged it might be understood that he was not giving any opinion against legislating on the subject of the offices in question; that was a matter on which parliament was competent to determine; but of this he was certain, that to ascertain what offices might with propriety be abolished, and what others might be changed, reduced, or otherwise regulated, required very mature deliberation; and more knowledge and experience of business than he believed the noble earl could pretend to possess. What the decision of their lordships might be, when the subject should be fairly under their consideration, would depend upon a view of the effects of the present system of rewarding merit, with the

probable consequences of that system which it might be proposed to substitute. He would not pretend to anticipate that decision: nor did he now object to the discussion of the subject, but should reserve his opinion until it came before their lordships in a proper shape. With respect to the noble earl's proposition, respecting an increase of the influence of the Crown in parliament, it was so monstrously absurd he did not think it necessary to enter into that subject. The contrary was notoriously the fact; but he should be ready to state his opinion on that question, also, if it should be at any time brought in a practical form under their lordships consideration. That there was a call, an imperious one, on the government to inquire into the state of the public expenditure, he would not deny. If ever there was a time for economy it was the present, when the public distress was, from various causes so great. Whether ministers had or had not done their duty in the measures of economy they had adopted, there would be other opportunities of considering; and he should not now detain their lordships by discussing that point. He would, however, just observe, that the reductions made in a great branch of the public expenditure exceeded what had been expected by the best informed advocates of the system of economy in another place. The peace establishment was estimated, by a person well qualified to judge, and not disposed to take the most favourable view of the conduct of ministers, at 700,000*l.* more than the sum at which it had been fixed. This he thought might be considered as at least a strong presumption of the disposition of his majesty's government to adopt every practical measure of economy. As to colonial offices, all of that class which it was possible to do without had already been abolished: but the increase of our foreign settlements, and the extent of their relations, required a department for the management of colonial affairs. No offices, however, in the colonies themselves, were in future to be given to, or held by any persons who did not reside in the colonies; which would at once render them all efficient offices. He was confident that it was impossible for public business to be carried on without three secretaries of state. Under the present, or any ordinary circumstances of the country, it was evident to any one at all acquainted with public business, that the business of the

office of the third secretary of state, to be properly executed—and it never had been better executed than now—was as much as physical and moral strength was capable of performing. Among those who might choose to take the trouble to inquire what business was really done at this office, he was confident there would be no difference of opinion on this subject. Upon the whole, seeing no practical good that could be derived from the resolutions proposed by the noble earl, which on the contrary appeared to him only calculated, if they should be carried, to embarrass the discussion of questions subsequently to come before parliament, he should move the previous question on them.

Lord *St. John* said, it had been often observed, that persons entertaining different political questions saw things in very different lights; and that observation was never more applicable than to the different accounts given by his noble friend and the noble earl opposite (*Liverpool*) of the opinion now entertained with regard to the measures lately resorted to, and the impression which those measures had made on the public mind. Many circumstances were calculated to have a considerable effect on the public funds, but he never should have expected to be told that the suspension of the British constitution was calculated to produce a favourable effect on the funds. He should much rather have been disposed to attribute any rise in the funds to an understanding that considerable reductions were about to be made in the public expenditure. The noble earl had also described the measure to which he attributed this beneficial effect as a precautionary one. Now this seemed quite a new way of viewing it. If he had at all understood the way in which the measure was proposed by ministers, it was for the purpose, not of preventing, but of putting down sedition. A great deal had also been said by the noble earl about the difficulty of defining what a sinecure office was. The noble earl had misconceived what his noble friend said. An office might be not a sinecure, and yet the person who held it a sinecurist, if the business was done by deputy. Though the office might be an efficient one, and required security to be given by the individual who held it, yet if the business was done by deputy, the individual holding the office was purely a sinecurist. The noble earl opposite had said there was an objection *in limine* to entertaining questions of this

nature. Nothing was, in his opinion, more desirable than that the petitions of the people, at a conjuncture like the present, should have every possible weight with both Houses of Parliament. He recollected all the discussions during the American war, when the complaints on the subject of retrenchment were as loud as at present. He recollected that the House of Commons were often called to the consideration of questions of economy when petitions for economy and retrenchment, and complaining of the extravagant expenditure of the Crown, were poured in from all parts of the country. They would be holding their dignities too high were they to say they would not pay attention to such petitions. That their lordships were also competent to originate measures for abridging the influence of the Crown, surely could not be questioned. The act of succession, by which the privileges of the House of Commons were so essentially secured, did not originate in that House, but with their lordships. Yet that was a subject respecting which the other House might have been expected to be as jealous, as respecting questions of expenditure. But according to the noble earl, every thing relating to expenditure was so peculiarly the province of the Commons, that though the table of their lordships should be loaded with petitions, they were not called on to take any notice of them. The noble lord (St. John, went into an examination of the result of the labours of the committee appointed to inquire into offices erected since the war, with a view to reduction; and maintained that the reductions, which amounted to about 50,000*l.* were compensated for by superannuations very nearly to the same amount. He contended, that offices created during war, and depending for continuance on the war, were to be considered as temporary offices, and that the persons filling them had no right to consider themselves as permanent officers, and entitled to superannuation. He complained also of the withdrawing from the controllers of army accounts the auditing of the commissariat accounts which formed part of their business.

The Earl of *Lauderdale* could not concur in opinion either with his noble friend who moved the resolutions or with the noble secretary of state. His noble friend had described the difficulties which the country experienced from the weight of taxation. The fact was that the landed

interest was in a situation of distress never before felt in this country. The noble earl opposite seemed to doubt this statement; but if he inquired into the state of the tenantry, he would soon be convinced of the fact: he would find that few of them were able to pay their rents; and that the greater part of those who did pay, derived the means of so doing from their capital, and not from the produce of their farms. Did the noble lord consider what must be the ruinous effect of this state of things? It was capital in the hands of the tenantry that had created that high state of cultivation for which this country was justly famed; but if the capital was exhausted, the effect would necessarily cease. A noble lord had said, on a former occasion, that the situation of the agricultural classes could not be so bad as it was described, as the repeal of the property-tax must have been a great relief to them. If, however, inquiry were made among the farmers, it would be found, that they would be content to suffer the infliction of the property-tax, if they could be placed in the situation in which they stood five years ago. Whatever measures might tend to relieve them, he was certain the abolition of sinecures was not among the number. Nothing was more ridiculous than the expectation of great public benefit from that abolition; except, perhaps, what the noble secretary of state had asserted to be the effect of the abolition of the Habeas Corpus act. What facilities that measure might give to the noble earl's tenants, in enabling them to pay their rents, he did not know; but if the suspension had really raised the funds, as the noble earl asserted, it was fair to suppose that the subsequent fall of one per cent. had been owing to the discovery made by the noble and learned lord on the wool-sack, that the amendment made on the bill by the Commons had done it great injury, inasmuch as the benefit of the measure would not be extended to Scotland. Would the suspension of the Habeas Corpus enable the manufacturer to obtain a price for his goods from those who had nothing to give for them? The state of the country required very different remedies than those proposed by either of the noble earls. A noble friend near him had spoken of the table being loaded with petitions: but if the public distress was to be in any way attributed to the existence of the offices in question, it would follow that public offices were now more highly

paid than they had been in former times ; which was not the fact. The opposite parties of that House had often been described as two factions, only contending for the loaves and fishes of the British constitution ; but as each party in its turn had yielded to the public prejudice against these offices, if the same system proceeded there would soon be neither loaf nor fish left. If any man wished to make his fortune a seat in parliament was the last course which he ought to take. With regard to the influence of the Crown in the House of Commons, there was a report on their lordships table which placed that question in its true light. That report, which was made to parliament in 1807, proved that the number of persons holding offices had diminished instead of having increased. To avoid entering into details on this question, he should only state some prominent facts. Before the Union with Scotland, the number of members of the House of Commons holding places under the Crown was greater than at later periods, though the House of Commons was augmented by that union. In 1705, 98 individuals holding offices had seats in the House of Commons : in 1807, the number was only 74, being a diminution of 24. In the year 1716, the difference was still more remarkable ; there were then 164 placemen in the other House ; which, compared with 1807, gave an excess of 90. In 1718 the number of placemen who had seats was 154 ; which made the excess at that period 80. In 1797, the number of placemen was 193, and the expense of their salaries above 285,000*l*. In 1807, the number, as he had said before, was reduced to 74, and the expense to only 193,000*l*., making a difference of 119 in number and 92,000*l*. in expense. This comparison decidedly proved that the influence of the Crown had greatly decreased in the House of Commons : but he begged that he might not be supposed to state that it had decreased on the whole. On the contrary, he was aware that it had infinitely increased through the country at large. This was naturally to be expected, from the large civil and military establishments maintained by the government, and from the influence of a national debt, amounting to 700,000,000*l*. ; the charge on which was 37,000,000*l*., while after the American war, it was only 240,000,000*l*., with a charge of 10,000,000*l*. It was not, therefore, the influence of the Crown in the House of Commons which was to be

guarded against, but the influence out of doors. This was evident from the readiness with which the Crown appealed to that influence whenever a majority of the House of Commons was disposed to bring about a change of administration. The noble earl who moved the resolutions had talked of the great emoluments of public offices ; but the view he had taken was altogether erroneous, and founded on the common public prejudice. There never was a period in our history when men in office were less corrupt ; and perhaps never a time when the public was more corrupt. He agreed with the noble secretary of state as to the impossibility of pointing out any office which was completely a sinecure. No man was more aware than he was of the deep necessity for adopting measures of economy, yet these measures were not to be adopted, when they came in contact with the safety of the state. Nor did he agree in the opinion, that because an office was held by a person who employed a deputy to discharge its duties, that that individual was a sinecurist. He undoubtedly received a salary from the public, but then it was to be remembered he became responsible for the performance of those duties. No man, he believed, could suppose that system of government to be right which allotted no rewards to its public servants. Rewards were indispensably necessary for meritorious services, and certainly sinecures were infinitely better than public pensions. Convinced as he was, that the giving of pensions would be felt to be a more serious evil than sinecures, he thought the granting of these pensions would disgrace parliament more. He looked upon sinecure offices as a sort of lottery, where, though the rewards were few, yet the hope of the great prize would induce many a man to exert himself to deserve it. He had not himself been much in office ; but though he had never been minister, he was perfectly acquainted with this circumstance—that three or four importunate claimants might be put off by the hope of a reversionary sinecure, who, without such a mode of rewarding public service, would at once have required a pension. His noble friend had truly observed, that the distresses of the people made them look on all sides for relief : he was one of those, however, who believed that the people would never have turned their attention to this particular subject, nor have looked to such a source for relief, unless the parliament itself had set the

example of referring to such a fund for a supply. In fact, the evil under which the country laboured lay much deeper; it was the infinite load of the public debt. He had himself published to the world his sentiments on this point, though he had not had the good fortune to be listened to. He should say further, that he did not see the policy or propriety of ministers recommending his Royal Highness to renounce part of his income. The salary given to that illustrious personage was in consideration of the high situation in which he was placed, and it had been given to him after a solemn and dispassionate deliberation in parliament. He had no hesitation to state, clearly and explicitly, that he deprecated and even reprobated the discussion of these minor matters, because he felt a conviction that they took off the public attention from greater objects. He was ready to admit, that no taxes could be too great for a nation to pay, provided the objects to be attained were greater: but such a fact must be fully proved, which had not yet been done. As to the argument drawn from the funds, every man who looked to the state of the currency must know, that though the funds might probably be yet considerably higher, yet speculators alone would derive any benefit, while the labourer and the manufacturer would be entirely without relief. The funded system had been productive of the greatest disadvantages, and had taken as much as five millions from the pocket of the landholder. That was the wisest distribution of property which would give happiness to a whole people: but as to the abolition of sinecures, he thought that the measure would not only do no good in itself, but that the discussion of it would tend rather to increase than to diminish the hatred of public men; and would in its consequences force upon the people a stronger idea that such men lived only on the public property.

The Earl of *Darnley* had no hesitation in admitting that the constitution of parliament was much better with respect to the influence of the Crown than it once was. If, however, no other argument could be found for the abolition of sinecures, yet it ought to be accomplished for this single reason—that such a measure comprehended the general principle of a disposition to reform. When the times were so severely pressing as the present were, he thought some attention and respect should be paid to the public voice. The country

had, he might say, almost with one voice, declared the system of rewarding public services by sinecures to be extremely objectionable, and certainly some attention should be paid to that voice. — He said, he was ready to agree, that a system of pensions must be substituted for the present system; but he thought such a mode of remuneration would be more economical, and (he begged pardon of noble lords) less offensive, than the present. But, be this as it might, he thought that the circumstances of the country were such, that it became the duty of parliament to direct its attention to some species of reform, whatever difference of opinion might exist as to the particular and specific plan.

The Earl of *Liverpool* had no objection to withdraw the previous question, if it were agreeable to the noble lords upon the opposite side, and hoped should such be the mode of proceeding adopted, that their lordships would, by a direct vote, completely and at once negative the proposition.

Lord *Holland* thought the noble secretary of state had great reason to flatter himself on the accession of strength which he had obtained on this question; but the principle of it was by no means affected by that circumstance. He objected to the noble earl's withdrawing his motion for the previous question. It was at the option of the House to permit that noble earl to withdraw it or not, and he had his reasons for wishing their lordships to refuse him that permission. The great questions which had deservedly agitated all persons within and without those walls, had formed part of this night's discussion. These were, the generally discontented state of the public mind, and the late suspension of the Habeas Corpus act. He did not exactly see the relation between the latter and the question before their lordships; but as it had been again introduced, *Ecce iterum Crispinus*, he must in the strongest terms object against the measure of suspending the most valuable part of our constitution. How absurdly had it been stated by the noble earl that the resorting to this measure had already raised the funds of the country! Why then, for Heaven's sake, and his own sake, for he seemed then to be sadly at a loss for any one argument for the measure, had he not mentioned to their lordships when the suspension was first proposed that it would materially raise the stocks? This rise of the stocks must be considered by the whole nation as

well as himself, a subject of the utmost alarm, and even terror and dismay; for if the suspension of this act for three months, before it had been consummated an entire week, by receiving the royal assent, had produced such an effect, what might not be the sanguine expectations raised in the breasts of the noble earl and his colleagues, should they be enabled, by the fatal complaisance of parliament to abrogate the Habeas Corpus act altogether? If by this temporary measure the three per cents. had thus rapidly risen to 70, might not the permanent measure raise them above par? Could any person who loved sound argument, or loved his country, listen to such assertions without alarm and apprehension?—Upon the subject of that report so generally and justly reprobated, it must be confessed therein the minister, whether he had or had not libelled the people of England collectively had certainly chastised them collectively for the sake of the disaffected; and then because he had libelled only the few, he proceeded to punish, chastise, and oppress all the people of this country. When on a former occasion a suspension of this act had taken place, it was justified in some measure by the circumstance of our being engaged in a war with a powerful, intelligent, and energetic government, seeking to revolutionize and overthrow all established systems of government; but on the present occasion, the only reason adduced for these arbitrary measures, was the alleged perversion of a small portion of the public mind in the lower classes. What! was not this libelling the government of the country, as inefficient to resist these puny efforts, and libelling the people of England, by confounding the mass of the nation, patient and resigned under its sufferings and privations, in the crime, and also in the punishment of those objectionable few? It was not true, however, that the measure was of such prodigious importance, and the argument of the noble earl was good for nothing, unless he could go on to show, that the measure besides raising the funds, would give employment to the idle, and food to the hungry. With respect to the immediate question before their lordships, although he was satisfied of the propriety of concurring with the other House of Parliament in declaring the expediency of the abolition of sinecures and useless places, yet he never had heard any man in either House of Parliament contend that this was a measure of

such material consequence as could affect the reduction of our expenditure within the compass of our revenue. Yet it was necessary to oppose some mound to the incursions of the Crown. The noble lord whom he was happy to call his friend had expressed his regret at differing from those with whom he generally acted. He always heard the speeches of his noble friend with pleasure, when he considered the luminous and eloquent manner in which they were delivered. He did not, however, agree with his noble friend respecting the increase of the influence of the Crown being confined to the mass of the people. If the Crown actually had so much influence out of the House, that influence was of necessity exercised in the House for the most obvious reasons. Nor did he conceive the debt of the country to be the principal evil, because he thought the unconstitutional standing army, the unnecessary, extravagant expenditure of the public money, &c. were equally bad. He did not concur in the comparison made between the period of Queen Ann's reign and the present, respecting the influence of the Crown, because it should be remembered two unions had taken place, since that, and besides the colonial department had increased to such an extent as, in the opinion of the noble earl at the head of the treasury, to require the services of a third secretary of state. And here when speaking of the secretary of state, he could not help noticing the opinion of the noble earl. He had said the business of the state could not be conducted without this secretary. Surely the duties of that office could not be so highly important or laborious, when it was recollected that lord Melville had been both president of the board of control and secretary at war (as the office was then called) at one time. [Here some noble lord said, that lord Melville had held all the secretaryships of state at one time]. This was indeed new to him; he had no idea that lord Melville had been such a pluralist. Thus then he held all these offices, and it made the argument the stronger, controllership, secretary for the war and home department, as well as colonial. [The earl of Liverpool—"No, not colonial."]. Well, be it so, in all conscience he had enough for the drift of his argument; and perhaps the noble earl might think enough for his (lord Melville's) capacity, for either occupation or emolument. He knew enough of public business to say that the business

of these three secretaries of state would be better transacted by two persons than by a multiplicity of officers. This opinion might be corroborated by persons of the highest authority. In fact, before the American war, there had been three, but parliament then inquired into the evil, and reduced them to two. With respect to the puisne lords of the Admiralty, he had heard with surprise that it had been asserted, that the best lords of the Admiralty were not to be found amongst those most conversant with nautical affairs, who had been designated sea monsters. Such language was neither wise nor respectful to the country. In the civil department of the admiralty he was sorry to find that a distinct stand had been made against economy. And though ministers had taken great credit to themselves for some general reductions, he begged to know why the retrenchments had not been made last year. The noble earl might think these concessions boons; but in fact they were extorted only by the petitions of the people—by such petitions as he trusted still to see the table crowded with, one noble lord had denied the existence of sinecures: with all his well known acuteness, he could, not it seemed clearly comprehend the meaning of a sinecure. Such had actually been the confession of the noble earl. Now if he wanted an explanation of its nature, perhaps he might bring his mind to understand the abstruse signification of that complex definition of a sinecure, viz. a patent place, executed by deputy. If such places were not sinecures, he did not know what they were; but if the word was matter of objection, let it be altered; and the substance of the present motion would still stand. And as to the reason assigned for not entering upon the question, that inquiries were now pending in another place it was precisely the reason why this proceeding should be adopted. A noble earl had objected to this as an abstract and speculative proposition; but “abstract” and “speculative” were nick-names too often applied. He must here allude to an assertion in a speech made the other night, that the French revolution began by the abolition of sinecures. Was it so? Who, then, was the great author of a similar revolutionary measure in this country? At whose instigation were sinecures first abolished? Was it not by the great champion of anti-revolutionary principles? To what extent would such an argument lead us? If the abolition of sine-

cures was a revolutionary measure, then Mr. Burke was the great revolutionist: if it was jacobinical, Mr. Burke was himself the arch-jacobin. If the Spencean doctrines should prevail, and every proprietor's land be divided into squares for the public good, Mr. Burke alone was answerable; nay, if their lordships should all have their throats cut, all the dire mischief was to be attributed to Mr. Burke's bill. Such was the absurd consequence to be deduced from the argument of a noble lord—that the very proposal of abolishing sinecures was in itself revolutionary. The noble earl had talked of certain salaries (offices would have been a proper term) as necessary to maintain the splendour of the Crown. He was himself as anxious as any man to support the due splendour of the regal dignity; but he thought that too much might be expended about it as well as too little. When Mr. Burke spared the great offices of the household, his professed object was to keep about the throne persons of refined education, of exemplary character, and of high rank; persons, in short, whose situations were such that they were not likely to attach themselves to the Crown for the sake of the salary. On this point he would not be so personal as to point out what individual offices might be abolished; but he thought the subject extremely fitting for parliamentary inquiry. The noble earl had said, that pensions would be as expensive a mode of remuneration as sinecures; but the question was not one of sinecures *versus* pensions, or of pensions *versus* sinecures; but of pensions *versus* sinecures *plus* pensions, for we had both the one and the other; and it was the desire of ministry to keep both. He had never seen that the existence of sinecures tended in the smallest degree to diminish the number of pensions. Whenever any public service was performed, or any great man was to be rewarded, a pension was immediately demanded for him as much as if no such thing as a sinecure was in existence. He did not mean to cast any personal reflections, but two instances occurred to him too striking to be omitted. The first was the case of the late Mr. Pitt, a man whom, though he differed widely from him in politics, he was ready to praise for his noble disinterestedness and disregard of money? When he died, application was made to parliament, and all his debts were paid by the public. On Mr. Perceval's death, a similar application was made, and pensions were given to his chil-

dren. So in all cases, whenever an opportunity presented itself, a message came down immediately to parliament, and a pension was recommended to reward each fresh instance of merit in a public servant. It was not fair, therefore, to call it a question whether pensions or sinecures should be allowed to be the best mode of public reward; for the real matter in dispute was whether both modes of remuneration should exist at the same time, and for the same purposes. For his own part, he thought sinecures the most unjust species of compensation; but, if not unjust, he was sure that it was the most invidious; and that was no slight objection. To call it by the gentlest name, he would say it was inconvenient, because it was peculiarly liable to unconstitutional influence. In this point of view, there was much more room for abuse in the distribution of sinecures, than of pensions. In every case of pension, whatever influence might be exerted was manifest and declared. All was open. A regular request was made to parliament; the service of the person to be rewarded was publicly announced, and was discussed and weighed, and calculated before the pension was bestowed. But it was not so with sinecures. Sinecures had been aptly compared to great prizes in the lottery of political reward; because very often they fell by mere accident to persons of neither merit nor service, whilst veteran servants of their country, merely from ill luck, after 40 or 50 years labour, had no opportunity of obtaining one of those prizes. Nothing could more strongly elucidate their impropriety. He might apply to pensions and sinecures the language of scripture, which had lately been quoted for another purpose; with respect to their different natures and effects, he would call the pension, "the arrow that flieth by day," and the sinecure "the pestilence that walketh in darkness." It was, indeed, the chief and prevailing objection against sinecures, that their influence was secret and silent. It was this that made them so offensive to the country: it was this which would ever continue to make them offensive, though the degree of injury which they produced might be infinitely less than it was pretended to be. This, therefore, was alone a ground (he would, if their lordships pleased, allow it was the chief ground) why they should be abolished. It was no doubt true, that the Crown had an interest in remunerating its servants by this mode; but it was at least

equally clear, that public opinion was decidedly against it. The nation at large considered sinecures as odious burthens; and ministers were bound, not merely to listen to the voice of the people, but to obey it. The noble earl had talked of delusion, and of false persuasion, that had been super-induced on this subject; but the best way of removing it, was to abolish sinecures; and as they were the cause, the effect would cease with them. The plan hitherto adopted, if indeed it deserved the name of a plan, was most injurious to the purposes of ministers themselves: they refused to abolish at once in an open and manly way; but, by degrees, they clipped and trimmed one office and then another, without giving satisfaction to their own or to any other party. The sinecurists in the colonies it had been said, had been compelled to perform their duties themselves personally by a late act. In fact there had existed no necessity for this act. The act passed under lord Lansdown's administration, had it been put in force, would forty years ago have compelled their attention to their duties in person; and it was shameful on the part of government to allow that act to remain a dead letter upon the statute book, when the national complaints so loudly called for its enforcement. The noble earl had spoken of the danger of concession; but that danger was incalculable, when compliance was extracted and extorted by the compulsion of national sentiment. His majesty's government might delay as much as they pleased, but the time would come when they must grant what the nation required; they might patch and paint for a time, but "to this complexion they must come at last;" and it was not only far better for themselves, but for the public tranquillity, that they should comply at once with a good grace, instead of being forced to yield what in itself was most just and reasonable.

The previous question being put, the House divided: Contents, 5; Not Contents, 45; Majority against Earl Grosvenor's Resolutions, 40.

HOUSE OF COMMONS.

Tuesday, March 11.

PETITIONS RELATING TO REFORM, &c.] Sir W. Geary presented a petition from the freeholders and inhabitants of the county of Kent, praying for Reform.

Sir E. Knatchbull said, that the petition was presented as that of the county of Kent, and as expressive of the sentiments

of the county. He believed that it expressed the sentiments of the majority of the meeting at which it was voted, but he denied that it expressed the sentiments of the county, or could be received as the petition of the county. The high sheriff had signed it in the name of the meeting; but he could only sign for himself—he could not sign for others; and this petition, therefore, could not be received, except as the petition of the individual whose signature it bore.

The *Speaker* said, there were only two modes in which petitions could be viewed as coming before the House. They must either come from individuals, assemblies of individuals, or corporate bodies. If they came from corporate bodies, and were signed in the name of the corporation, and sealed with its seal, they were considered as the prayer of the corporation. If they came from individuals, or meetings of individuals, they were to be considered only as the petitions of the persons whose signatures they bore. They could not, when signed by one in the name of the rest, be considered as the prayer of the whole.

Sir *W. Geary* said, that the manner in which the petition was signed, arose from a misconception that it would be taken as the petition of the county if signed by the sheriff in county court: it would otherwise have been most numerously signed.

Mr. *Calcraft* was sensible, after what had been said, that the forms of the House precluded the petition from being received as any thing else than the petition of the high sheriff who signed it; but he hoped that, as it was substantially the petition of the meeting, though signed in their names, it would have all the weight which such an origin could give it. The hon. baronet had allowed that it expressed the sentiments of the meeting. That meeting was most respectable—it was numerously attended—it was called with due notice—the requisition was most respectably signed. In consequence of the address to be voted to the Prince Regent, which was a part of the business of the day, the hon. baronet had it in his power to have assembled a greater number of his friends to oppose the petition. The hon. baronet might have exerted all his influence. He was well supported in his opposition by a young man, who displayed great abilities on the occasion, and he might have had the assistance of some demagogues.

Sir *E. Knatchbull* said, that he had not

opposed the petition. He neither attended when it was discussed, nor offered it any opposition whatever. The chair had rightly decided, that the petition could only be received as the petition of the high sheriff. Though the high sheriff had signed it, however, as he conceived at the time his official duty demanded, he (sir E. K.) was convinced that he neither concurred in the sentiments of the petition, nor would have signed it in his own name.

Mr. *Calcraft* said, that had it not been thought sufficient that the high sheriff should sign the petition in the name of the meeting, there would have been no difficulty in obtaining numerous and respectable signatures. The hon. baronet had wished even to take away from the petition the advantage of its one signature, by saying that the high sheriff had signed it contrary to his own sentiments. He did not know intimately the sentiments of the sheriff; but he never heard that they were opposed to the petition, and could attest that he seemed perfectly willing to sign it in the name of the meeting.

Sir *W. Geary* was of opinion that the petition spoke the sense of the county; for it was known that the meeting had been convened after a sufficient notice, and that the petition had been agreed to by a great majority. He could not, therefore, imagine that the opinion of the county could be collected in a fairer way. A case similar to the present had occurred at the beginning of the session. A petition had been presented from the county of Cornwall, signed by the sheriff, and afterwards another signed by a number of the freeholders. He was glad this conversation had taken place, that the rule of the House with regard to petitions might be known.

The *Speaker* said, that the House would not only see the importance of the rule that had been laid down, but the importance of diffusing a knowledge of it. Petitions could only be received as the petitions of those whose names they bore. When there was only one signature, as in the present case, the House remained entirely in the dark as to the sentiments of the meeting from which the application was said to proceed.

Sir *C. Monck* said, that the object of sir E. Knatchbull was evidently to do as much injury as possible to the petition. That hon. baronet had, however, said that the sheriff, in his private capacity, was hostile to the sentiments of the petition: if this were true, it was clear that the

sheriff would not have put his name to such a petition, but from a persuasion that it spoke the sense of the county meeting.

Mr. *Lushington* said, the petition undoubtedly spoke the sense of the meeting at Maidstone, but from what he knew of Kent, it did not speak the sense of the county at large.

Mr. *Ponsonby* said, that nobody could expect that those who visited the treasury, and were the friends of the hon. secretary to the treasury, would sign petitions for retrenchment and reform. This meeting was said not to combine the respectability, or to express the sentiments of the county, when it voted the petition now before the House. He would ask, did this meeting do nothing else that expressed the sentiments of the county? Were the other acts of the meeting not the acts of the county? Did the address to the Prince Regent not contain the sentiments of the county? Did the vote of thanks to the marquess of Camden not express their sentiments? Were not these two acts done by the same meeting with whom this petition originated, and at the same time? How, then, could they be said to express the feelings and sentiments of the county, while this petition did not?

Ordered to lie on the table.

MOTION RESPECTING FEES IN COURTS OF JUSTICE.] Sir *John Newport*, on rising to make his motion respecting the fees in courts of justice, said, that it was now three years since he had first submitted to the House the necessity of that species of inquiry into courts of justice, which was warranted by the practice of parliament in its earliest and best times, and which was peculiarly necessary to protect the public against the increase of fees, and to secure the due administration of justice. On that occasion he had not been supported by his majesty's ministers. Three cabinet ministers present at that time divided against him. His motion was, however, sanctioned by the House by a majority of one vote. He had been accused at that time by one of the ministers as having not made out any ground for his motion; by another as a visionary and a dreamer, for no abuses, he was told, did exist. The vote of the House for commissions to inquire into this subject was on June 20, 1814, and it was not till the 9th of February following that either of the commissions was appointed. The House had not been fairly

dealt with in this delay, and still less in the appointment of the commissioners, for, out of five of the commissioners, two were masters in chancery, though the abuses alleged to exist were in their department; for an hon. and learned gentleman (Mr. Stephen) now no longer in the House, though he objected to the motion then proposed, said, that if abuses were alleged to exist in his own department, he would give his vote for the measure, and that allegation having afterwards been made, he actually gave his vote in favour of the motion, which happened to decide its success. The reports of the commissioners which were before the House, showed that he (sir J. N.) was not a visionary. By the report of the commission on the English chancery, defective as it was, abuses of considerable magnitude had been discovered. He had also the testimony of the lord chancellor himself, who, in April 1815, about nine months after his motion for commissions, recognized that erroneous practices existed in the bankrupt department, and considerably curtailed the fees there taken. This error, it was to be observed, was not discovered till after his motion, and so far the public had been gainers by it. In support of his opinion he referred to the report of the 18th of April 1732* at which period an inquiry into the subject had been instituted by parliament. It was his intention to submit to the House two propositions, involving the general principle on which the inquiry ought at present to be regulated, and then referring the reports of the commissioners to a committee above stairs for their opinion, as to the best mode of carrying the suggestions in the reports into effect. He must observe, that there were many omissions in the reports on the table. Among others there was no statement of the aggregate amount of fees any where. Without this, no judgment could be formed whether or not the fees were upon the whole disproportioned to the service performed or inadequate to the just reward of that service. When on a former occasion this subject was taken into consideration by the House, the hon. member for Norwich complained of the abuse on the part of the officers of courts of justice in taking fees to expedite judgment. It was distinctly denied by another hon. member that any such practice ever exist-

* See New Parl. Hist. Vol. 8, 1072.

ed. An hon. and learned friend of his, however, expressed his astonishment at this denial, asserted that the practice was common, and represented the violation to which it led of that equality in the dispensation of justice to which all men were entitled. In the report on the table, all detailed account of these expedition fees was omitted. They were stated indeed to exist, but the statement was made in such a manner, with such a salvo for the practice, and with such doubts as to the expediency of abolishing them, as to render the whole subject still more worthy the attentive consideration of parliament. [The right hon. baronet here read a passage from the report to the above effect.] It would seem that the old maxim, that justice was not to be sold, was no longer to be acted on. The augmentation of the duties on stamps had nearly closed the avenues of justice against the poor, and if the very ministers of justice were to be allowed to make these demands on suitors, the effect must be utterly to debar from legal redress all persons who were unable to disburse large sums in the maintenance of their rights. It had always been the pride of this country, that within her courts of justice there was no respect of persons; but if the poor were prevented from entering, the evil was just as great to them as if the utmost partiality prevailed in the inside. If he had been correctly informed, he had not, when he formerly called the attention of the House to the subject, had in contemplation a tenth part of the grievances which actually existed. With respect to the commissions on the subject, however onerous, it was satisfactory to think that the public had derived, and were likely to derive great advantage from their investigations; and he felt the highest gratification in having been the humble instrument of bringing under the view of parliament transactions, which poisoned the source of justice and utterly prevented the poor man from obtaining it. The right hon. baronet concluded with moving the following Resolutions: 1. "That fees payable on law proceedings are to be considered as direct taxes levied on the suitor to defray the charge of the offices to which they are incident, and should be fixed in their rate, moderate in their amount, and duly proportionate to the service performed, and, as far as may be possible, carried over to a common fund for the general support of the whole establishment of those offices. 2. That the im-

mense increase of taxation on law proceedings, which has resulted during later years, from the increased necessities of the state, imposes forcibly on the legislature an augmented duty of guarding the body of the people, who may become suitors in courts of law or equity, against the payment of any rate of fee which shall exceed a fair compensation for the service performed or preclude the easy attainment of justice equally by rich and poor. 3. That the several reports presented from the commissioners appointed by royal commissions, in consequence of an address of this House, to examine into the state of the courts of justice of England, Scotland, and Ireland, be referred to a committee of twenty-one members, who shall be directed to report their opinion as to the matters therein contained, and the best mode of carrying into effect any regulations which the said committee may deem advisable respecting the officers of the said courts of justice; and that the said committee shall have power to report thereon from time to time as they may deem expedient."

The first resolution being put,

Lord *Castlereagh*, while he admitted that the right hon. baronet had brought this important subject under the consideration of parliament very fairly, clearly, and temperately, complained that he had not fully stated the grounds on which his motion with respect to it had, on a former occasion, been opposed. If he recollected rightly, the reason why his Majesty's ministers had formerly opposed the right hon. baronet's motion was, that no grounds had been laid for an inquiry into the English court of chancery, although they admitted that ample grounds had been laid for an inquiry into the Irish court of chancery, to which latter inquiry they stated, that they had no objection. Although he admitted to the right hon. baronet, that such inquiries as those which had been instituted on the right hon. baronet's suggestion, frequently brought out information that might prove useful, yet it certainly was the reverse of economy to institute such inquiries for the mere purpose of fishing, in the expectation that some information or other might possibly be the result of their labours. They were attended with considerable expense to the public. The inquiry already (he did not mean to say that an equivalent benefit might not be derived from it) had cost a considerable sum. Propositions, therefore, of that na-

ture, ought not lightly to be entertained by the House, or without distinct grounds for expecting that the result would be attended with considerable national benefit. Notwithstanding these considerations, however, parliament had thought proper to extend the inquiry to the court of chancery in England, and that inquiry was still in progress. But hitherto the investigation of this subject by the several commissions was very incomplete. Only two reports had been laid on the table respecting the law offices in Ireland, one respecting those offices in Scotland, and one respecting them in England, forming, upon the whole, a result very short of the intention of the address to the Crown on the subject. In his opinion, it would be very unwise for that House to enter on the consideration of this very technical and difficult and complicated question, until it should be ascertained, that it was not the intention of government, or of the distinguished individuals at the head of the respective courts, to apply such remedy to the evils pointed out in the reports as might be calculated to remove them. This could not be suddenly accomplished. The lord chancellor had immediately, on the presentation of the report, put an end to all those fees, personal to himself, on which there could be the slightest doubt or question, as well as to those of a similar description paid to all officers of his court holding their situations during pleasure; and the noble and learned lord was now engaged with the master of the rolls in investigating the more elaborate parts of the subject to which the report of the commissioners referred. Little conversant as the house necessarily was with such questions, he was anxious that they should not commit their character in undertaking the examination of them, until they saw the whole scope of the inquiry by the commissioners, as affecting not only the courts of chancery, but all the other courts; for each court had principles of regulation, to which no general rule could by possibility be made applicable. With respect to the other branch of the subject, that of the constitution of judicial offices, it was a question which was certainly open to discussion. It could, however, never be in the contemplation of the right hon. baronet to leave the chief judges on the existing salaries, after striking off from them all the other means of fair emolument which they had hitherto possessed [Sir J. Newport observed across the table, that he had said

nothing on the subject.] To inquiry into the other part of the subject, on which he had already dwelt, his objections were, however, by much the most strong. He had read the reports of the commissioners on the table, and was persuaded that it required great professional knowledge thoroughly to understand them. For himself he owned that there were parts of them of which he could make neither head nor tail; and he was persuaded that had it not been that two of those commissioners were masters in chancery (gentlemen, he understood, although he had not the pleasure of knowing them, of great learning and ability) the report must necessarily have been most insufficient. With respect to the practice alluded to by the right hon. baronet of paying fees for the expedition of judgment, he had no objection whatever to its being put down, if that could be done. The subject was distinctly noticed in the report, and the abolition of the fees recommended. The noble lord urged the right hon. baronet to withdraw his motion, on which, if that was not done, he should feel it his duty to move the previous question.

Mr. *Webber* did not perceive any necessity for the appointment of a new committee, as the former reports were as full as time and circumstances could permit. It was more advisable to wait for all the reports of the existing commissions, before the House proceeded to any ulterior measures, as they would thereby have the whole case before them in a connected shape.

Mr. *Ponsonby* contended, that the noble lord's memory had failed him, as to the nature of the opposition made by ministers to his right hon. friend's motion, which had been nevertheless carried for the appointment of the commissions, the reports from which were now on the table. His majesty's ministers had opposed every part of the proposition; and it had been carried by one vote, in consequence of an hon. and learned gentleman, no longer a member of that House (Mr. *Stephen*) having declared, that if his right hon. friend could show any abuse in the office to which, as a master of chancery, he belonged, he would support the motion, and he had very honourably done so on such an abuse having been pointed out to him. With respect to the expense of such commissions, that very much depended on the facilities afforded them, or withheld, by government and persons in authority. As to the objection made by the noble lord

to the appointment of a committee to take into consideration the reports on the table because those reports were incomplete, he was far from thinking it a sound one. He doubted whether it would not be a wiser plan to take the matter up deliberately and in detail, as the reports from the commissioners might be from time to time presented rather than to wait until they should be so accumulated as to protract the termination of the labours of the committee to an almost indefinite period. The noble lord recommended that the subject should be left to government, and to the heads of the courts. He (Mr. P.) had known reports of similar commissions lie on the table of that House a long time, unnoticed by a minister of the Crown, or a head of the department to which they referred; nor was he very sanguine as to a more favourable result on the present occasion. If the noble lord would state any reasonable but specific time which, in his opinion, ought to elapse before the House took any step on the subject, in order to give government, and the distinguished individuals at the head of the courts, an opportunity of taking up the subject, he, for one, would request his right hon. friend to withdraw his motion; but not otherwise. If the noble lord would not name any time, he must excuse him for saying, that his present opposition was evidently only a device for getting rid of the matter altogether.

Mr. *Leslie Foster* contended for the propriety and advantage of committing the investigation in the court of chancery to the lord chancellor only, and in support of this opinion, he instanced the case of the commission appointed, in lord Hardwicke's time, for a purpose similar to that contemplated by the first motion of the right hon. baronet, when the report was made to the king in chancery, and in less than three years every abuse notified in it was corrected. There never had been so complete a clearance of the avenues of a court of justice. He had no doubt that, on the face of the report, there might be some instances of increase of fees and irregularity of practice; but in all the really important affairs of the court he was persuaded there was little ground for complaint. For the last seventy years there had not been one increase of fees, nor one abuse in the master's office; none in the register's office; in the six clerks office a few, but those small; in the sworn clerks office none since 1740; no increase in the

examiners of the court; none in the master of the reports; and none in the register of affidavits office. In this enumeration he had set forth the whole machine which substantially did the business of the court. He was far from saying that the report did not deserve consideration; but the question was, how the matter should be taken into hand? and he thought the same course should be pursued as before, and believed it must finally come to this. If a committee, formed of professional men, were to sit every day till the end of the session, their undertaking would be little less laborious than that of the former committee. He knew this by experience, as he had himself sat upon the commission in Ireland. He had then found the difficulty of the subject, and he was persuaded that a committee of the House was more likely to take up insulated points and to do harm, than to effect any real service. It would be by far the best mode to submit the whole to the lord chancellor, and if there were any points which he might not like to venture on, they might be made the object of a supplemental act. He was aware it might be urged, that this was calling the chancellor to be judge in his own cause, and that many of the fees of the court appertained to himself. At least this would be no objection as far as the fees of others were concerned; and, with respect to his own, it was to be expected, that the consideration of his own interest would, with so exalted a character, be an additional motive for the exercise of impartiality. It appeared by the report that not one of the lord chancellor's fees had been increased; and the report stated, that they were all ancient and legal. The right hon. baronet seemed to think otherwise as to the office of secretary of bankruptcies; but that had been lately regulated, and the lord chancellor had himself voluntarily relinquished 1,000*l.* a year to those who transacted a great share of the business. On these grounds he thought it would conduce to the public good, to put the reformation called for into the hands of the only competent authority, and he could assure the House that he would never support any undue delay.

Sir *J. Newport* shortly replied, that he would forbear to press his motion, if the noble lord would name a certain time for the settlement of the business. However, he thought it unfair to refer to the lord chancellor the revision of offices, in the

gains of which he himself participated. It had been said, that the lord chancellor had relinquished 1,000*l.*, a year; but when had he relinquished it? After the commission had been instituted! The office of secretary of bankruptcies had been discharged sometimes by one person and sometimes by another, and no regular appointment had been made till the inquiry took place. The noble lord had alleged that it was inconvenient to adopt general principles which might be controverted by the language of some subsequent report; but it was impossible that the principle contained in the first resolution could ever be impugned. The second resolution stated, that the immense charges on all proceedings at law imposed a binding duty on the legislature to examine into the charges made by the officers of the courts of justice, for the purpose of preventing abuses. The stamps imposed on law proceedings were the most fatal tax ever proposed, and had the effect of shutting up every avenue to justice. The noble lord was afraid of encouraging litigation, if the stamps should be abandoned; but if they were continued, the poor man was denied justice altogether. The load of law taxes had induced thousands to relinquish altogether their legal demands, because they could not pay the duties of the suit. No tax that could be devised could be half so injurious as this; not even a tax on the necessities of life. If, by such a tax as that, an individual were prevented from purchasing a whole loaf, he might purchase perhaps half a one; but no man could obtain justice by halves, or pay for half a writ, if unable to discharge the stamp for the whole. The legislature should be called on to abandon these duties, which closed the courts of justice against every poor man, taught him to look for irregular means of redress and destroyed the proudest boast of England—that her courts of law were open to the poor as well as to the rich. He would not, however, press his motion, if the noble lord would name a certain day; but if the matter was to be delayed indefinitely, he must now take the sense of the House.

Lord *Castlereagh* said, it was impossible to name a certain day on such a complicated subject; but it was open to the right hon. baronet to apply to the House again, if he thought the interval which might take place too long.

The House then divided. For the motion, 16; against it, 63.

[IRISH PEACE PRESERVATION BILL.] Mr. *Peel* rose to ask for leave to bring in a bill to amend an act of the 54th of the king, for enabling the lord lieutenant of Ireland to appoint superintending magistrates and constables in those districts of Ireland which might unhappily become the scene of disturbance. The object of that bill was to supply a deficiency severely felt in Ireland in the civil power, and to introduce something like an effective police, instead of having recourse on every occasion to the cumbrous, though powerful instrument, of a standing army. The measure might probably, at first, seem liable to some objections, if applicable to this country, but the House were to balance between expedients: and if it were found less expensive and more effective than a large military force, he trusted the House would not prevent its being carried into operation. In introducing this measure to the House, he should not enter into a detail of the expense that would be saved by it. The employment of the soldiery, the charge of erecting barracks, and a great variety of other items, formed, however, a considerable aggregate of expense, under the existing system. The best disciplined soldiers, it should also be observed, if obliged to disperse themselves over the country, in small parties, as they were now compelled to do, in search of offenders, would very soon become lax and careless in the performance of their duty. He would leave entirely out of the question, the idea of men who had been employed in putting down the greatest military despotism that ever existed—who perhaps wore on their breasts the proud reward of their honourable services—being now placed in the humiliating situation of seizing private stills, and apprehending trifling offenders. In the year 1814, when he brought forward the measure which he now wished to amend, he proposed that the lord lieutenant in council should have the power of placing, in disturbed districts magistrates specially appointed, and constables to assist them in preserving the peace. This measure met with the almost unanimous approbation of the House and it was particularly approved of by the right hon. baronet opposite (sir J. Newport), whom, although he had often differed from the Irish government in opinion, he had ever found desirous, when measures were proposed for the benefit of that country, of which he was a native, and to which he did honour, to give them

every assistance in his power, instead of throwing obstacles in the way of their accomplishments. The act of 1814 had been carried into execution in six instances. In three instances, in the county of Tipperary, and once, respectively, in the counties of Louth, Clare, and Cavan. It was found to have a most beneficial effect. The lowest orders of the people applied to the magistrates to settle disputes between them and their employers, and the advantage was so great, that the farmers had frequently expressed their opinion, that the peace and tranquillity which reigned in those districts where the law was acted on, was cheaply purchased by the sum they paid to support the establishment. Under that act, the whole expense was to be defrayed by the disturbed districts. This provision was introduced because it gave those who lived in those districts a direct interest in preserving the peace. This mode of proceeding would operate very well in some parts of Ireland; but others were so poor and exhausted, that they were unable to bear the expense, and, therefore, it was found impossible to carry it into effect in those districts. In those places, where the land-owners did not reside—where, in consequence, insubordination was very general—there, although the greatest necessity existed for rendering the act operative, it could not be done, because, in those districts, the least possible means of supporting the expense existed. There was a certain district in the county of Donnegal, where illicit distillation was carried on systematically—where the laws were openly violated—and those who broke them were defended by large bodies of men—to that district it had been found necessary to send a special magistrate, escorted by a party of 50 dragoons. It was to provide against the recurrence of cases of this kind—to render it unnecessary, as far as possible, to employ the military force—that he now asked for leave to amend the act of 1814; the alterations he meant to propose in which, would, he conceived, have the effect of creating a proper civil force. As the law at present stood, it was necessary on the appointment of a certain number of peace officers, to create a superintendant magistrate. If a neighbouring district became disturbed, and constables were appointed to protect the peace, they could not be directed by the magistrate who had already been created, and who was acting near the spot—it was neces-

sary to appoint another superintendant magistrate for the newly disturbed district. To prevent this accumulation of magistrates, he should propose, that different bodies of constables belonging to different districts, should be allowed to act under the same magistrate. He should next propose, that the lord lieutenant and council should have the power of apportioning what part of the expense incurred by a disturbed district should be paid by the inhabitants, and what should come out of the public funds. He did not mean that the lord lieutenant and council should have authority to remit the whole expense; but, where great distress appeared to prevail, they ought, in his opinion, to have the power of removing such portion of it as circumstances might warrant. The last amendment would direct, that in all cases where the act was introduced, an account should be laid before parliament of the expense to be defrayed by the public, and also of the appointments, made under it.—The right hon. gentleman then proceeded to combat such objections as, he thought, might be urged against the bill. If it were said, that it would be better not to pay constables to preserve the peace, but to leave it, as was the case in this country, to the population in general to exert themselves to keep the peace, he should answer, that such a system could not, at present, be effectual, and in that statement he would be borne out by every gentleman connected with Ireland; in which country the introduction of a police at all was comparatively modern—not, he believed, of more than thirty or forty years standing. The expense might possibly be objected to. The House would recollect the discussion on the military establishment for Ireland, which took place last session. There was a tolerably unanimous impression, at that time, that the force proposed was by no means too great. It was with great satisfaction he now stated, not only that it was not found necessary to extend to Ireland the Habeas Corpus suspension bill, or the bill for preventing seditious meetings, but that a very considerable reduction was proposed to be made in the military force employed there. The army in that country at present amounted to 25,000 men: these would be reduced to 22,000. There were now seven brigades of ordnance, which would be reduced from 400 to 200 guns. Thus a great expense would be removed, and,

what was infinitely more important, a foundation would be laid for inspiring the people with an habitual obedience to the law, and, when that frame of mind was once introduced amongst them, government might dispense with the less constitutional mode of enforcing the law, which it was now so frequently necessary to resort to. The right hon. gentleman concluded by moving, "That leave be given to bring in a bill to amend the act 54 Geo. 3d, c. 131, to provide for the better execution of the laws in Ireland, by appointing superintending magistrates and additional constables in certain cases."

Sir J. Newport knew not how to reply to the compliments which the right hon. gentleman had paid him. He had but one claim to his good opinion—that of acting conscientiously, and that claim, he hoped, he should never forfeit. He approved highly of the bill now proposed: it was perfectly constitutional. He had never, for a moment, doubted, that the best boon the House could bestow on Ireland, was a police, established on an efficient footing, instead of resorting to that military force, which was too much employed in that country, and which had outraged the feelings of its population to such a degree, as would render it a matter of great difficulty to return to the spot from which they had set out. This principle, if pursued further, would place Ireland in a state of military tutelage—than which no situation could be more revolting to the feelings of humanity.

Mr. Carew, Mr. Chichester, and Mr. V. Fitzgerald, severally expressed their approbation of the proposed measure. Leave was then given to bring in the bill.

HOUSE OF COMMONS.

Wednesday, March 12.

PETITION FROM LIVERPOOL RELATING TO REFORM, &c.] Earl Sefton said, he had a Petition to present from the town of Liverpool, for he had no difficulty in terming it so, though the meeting was not regularly called. Though a requisition, most respectably signed, had been addressed to the mayor, he had unjustifiably refused to call the meeting, and had thus endeavoured to prevent that communication of the people to parliament, which it was as much the interest of the House as of the people to keep open. After this refusal of the mayor, the meeting was held in a public square of the town, and the

chair was taken by a most active, intelligent, and respectable magistrate, well known to many members of that House, colonel Williams. The business of the meeting was conducted with the utmost regularity and good humour, though a regiment of infantry, and a body of yeomanry cavalry, were drawn up near the meeting. The petition was signed by 14,000 inhabitants of the town, and he was convinced that never was a petition presented to that House more respectably signed. It would be idle to say that he knew all the persons who had signed it; but he was acquainted with many of them, among whom he was proud to reckon some of his particular friends. The petition stated the calamities under which the country laboured, which they stated to have arisen from unjust and unnecessary wars, which this country had been long engaged in; from the creation of new and useless places, and the existence of unmerited pensions and sinecures; and they threw themselves on the wisdom of the House for a radical but constitutional reform. Why the petitioners had selected him to present the petition, and had not sent it by the representatives of the town, he did not know, but he felt that a great honour was conferred on him, and he felt the more pleasure in doing so, because he heartily concurred in the prayer for radical constitutional reform, and not for the wild theories of which so much had been said.

Mr. Birch said, he held in his hand the names of those who had signed the requisition, than which none more respectable could be found in that town; and as to opulence, which had some weight in that House, there were many of the most wealthy persons in Liverpool. He should forbear saying any thing more after the speech of the noble earl, but as he had been requested to support that petition, he cheerfully bore testimony to the correctness of that statement.

Mr. Benson was anxious to clear the mayor of Liverpool from the aspersions cast upon him. That respectable magistrate had refused to sanction the meeting on account of the many riots which had taken place under the persons whom he expected to take the lead at that meeting. As to the regularity of the meeting, he thought the presence of the regiment of infantry and the troop of cavalry was enough to account for that circumstance. As to the persons who signed the requisi-

tion, he believed they were very respectable.

Mr. *Birch* wished to know, when those numerous outrages in Liverpool, to which the hon. member alluded, had taken place? For his own part he had never heard of them.

Lord *Cochrane* said, as to the fears of the mayor of Liverpool respecting disturbances, he did not think the reformers had ever been guilty of so many disorders as those opposed to them. He was yesterday at a meeting in the county of Hampshire, held at Winchester, and of all the meetings at which he had been present, he had never witnessed such disorder as there prevailed. The meeting was held near the Cathedral, and the parsons had mustered with all their forces, and were the promoters of the outrageous proceedings to which the old Covent-garden meetings, with marrow bones and cleavers, were not to be compared. A meeting had been called of the whole inhabitants of the county to express their sentiments on the late atrocious attack on the Prince Regent, but when he and some others had attended to express their opinions as loyal subjects, they were told the meeting was confined to freeholders. No one was allowed to express his sentiments, and the meeting was broken up with such precipitation, that no arrangement was made for presenting the address, nor were the thanks moved to the sheriff, or the mover and seconder, according to custom. When he heard meetings for reform called disorderly and tumultuous, which in no case they had been, he could not help stating, that this was the most turbulent and riotous that ever he attended, and that the parsons were the ringleaders in the confusion.

Lord *Fitzharris* said, that as to the facts mentioned by the noble lord, he could correct him. Thanks had been moved to the sheriff, and arrangements had been made for presenting the address. The meeting was the most numerous he had ever seen in the county of Southampton, and the sheriff had declared that four or five hands to one had been held up for the address. All who were present were permitted to vote. As to the noise which prevailed, it was perfectly impartial, as no one was heard on the one side or the other.

Lord *Cochrane* said, that he had heard nothing of the votes which the last speaker had mentioned, though he was within a yard of the sheriff—such was the noise which prevailed.

Mr. *Brougham* called upon the hon. member for Stafford to mention some of those outrages which he said had been committed by the people of Liverpool. If the hon. member had any facts to bring forward, he hoped he would do so; but if the thing was to rest upon the mere vague and gratuitous assertion of that hon. member, he trusted it would have no weight with any individual in the opinion he might form with regard to this petition.

Mr. *Benson* said, he spoke from personal knowledge of the many tumultuous riots which had originated on the very spot where the meeting was held for the purpose of agreeing to the present petition. He was surprised the hon. and learned gentleman's memory was so short as to require specific instances, for he believed there never were greater or more notorious outrages committed in Liverpool than by the very mischievous mobs which the hon. and learned gentleman himself had headed. He did not mean to impute any mischievous designs to the hon. and learned member. He only said that the mobs were most mischievously inclined. He had been called upon by the hon. and learned gentleman to state instances, and he hoped he was satisfied with his explanation.

Mr. *Brougham* said, he should not tell the hon. member whether he was or was not satisfied with his explanation, but he would call upon the right hon. member for Liverpool to give a direct negative to the assertion of the hon. gentleman opposite. He was sure the right hon. gentleman would do so, because he was incapable of saying one thing to him at Liverpool, and another in that House. For the first time in his life, a charge had now been brought against him for heading a mob notoriously disorderly, outrageous, and mischievous.

Mr. *Benson* rose to order. He did not impute to the honourable and learned member any mischievous intentions.

Mr. *Brougham* said, he was aware the hon. member had not imputed mischievous designs to himself, but merely that the mob was mischievous. There were two ways, however, of imputing motives in that House; one, in a parliamentary manner, which could be met by a call to order; the other, where though nothing was explicitly charged, yet every one could understand what was meant to be implied. He should content himself with calling upon the right hon. gentleman op-

posite to declare, whether, at the particular time alluded to, when he (Mr. B) had the honour of standing a contested election with him for Liverpool, it was not the unanimous opinion on all sides, and of all parties, that there never was a contested election, where so many thousand persons were interested, conducted with so much quiet, tranquillity and order, from the beginning to the end. He might refer also to the gallant general, the other member for Liverpool, in corroboration of what he had stated. The phrase used by all the candidates at the close of the election was, that instead of a popular contest, it resembled rather a peaceful pageant. After the House heard what he now asserted, backed by the testimony of both the honourable gentlemen to whom he appealed, it would then be able to decide upon the question of the shortness of memory imputed to him.

General *Gascoyne* said, he was perfectly ready to confirm all that had fallen from the hon. and learned member. During the twenty years in which he had been connected with the borough of Liverpool, and in which period he had witnessed many contested elections, he never recollected one in which there had been less outrage than in that alluded to. He never witnessed a more general effort on the part of all the candidates to prevent any thing like riot and confusion, and he perfectly recollected the particular expression mentioned by the hon. and learned member.

Mr. *Canning* said, that in the contest alluded to, nothing was omitted on his part, and nothing, he believed, on the part of the hon. and learned gentleman, to repress every tendency to outrage and riot; and during the greater part of it, they were successful. He apprehended his hon. friend (Mr. Benson) was confounding the election which took place last year for Liverpool, and that which occurred in 1812. During the former, there was one continued scene of tumult and outrage for the first three or four days. With respect to the petition, he should be sorry to object to its being laid on the table. He could never wish to obstruct the progress of any petition from that town, which he had the honour to represent. The present one, however, was not from the town, but from the inhabitants, and he was glad it was so designated, or it might have been liable to technical difficulties. He had received an account of the way in which the

signatures to it had been obtained, which he did not mean to make a matter of discussion, for it was now practised on other similar occasions, and they had already debated the subject often enough. He was told, that of the 14,000 signatures which appeared, not only a great number of them were by the softer sex, but a still greater number by persons of the tenderest age [Hear! and a laugh]. He was far from mentioning that as a reason for rejecting the petition; on the contrary, it entitled it to be received with the greater indulgence. If ever there was a period when that moiety of the creation had a right to petition that House, it was the present, when the doctrine of universal suffrage was so popular; a doctrine, which if acted upon, could not, upon any fair principle which he saw, exclude them from their claim to a participation.

Mr. *Brougham* observed, that if, as the right hon. gentleman supposed, his hon. friend behind him had confounded two different transactions, how did it happen that he had made him (Mr. B.) head the mobs, when he must have known that he was not at Liverpool in May last?

Mr. *Benson* repeated, that there were never greater mobs in Liverpool, than when the hon. and learned gentleman headed them. If the hon. and learned gentleman had not urged him for proofs, he should never have noticed the circumstance.

Mr. *Brougham*—Now the explanation of the hon. member is intelligible. If he merely means to say, that the persons whom I had the honour of addressing on that occasion, the persons who were kind enough to take an active part in the promotion of what they considered my interest, were remarkably numerous, I can have nothing to object to him.

The petition was then brought up. Upon the motion that it be read,

Mr. *Curwen* rose, to express his disapprobation of the manner in which, not only at Liverpool, but every place throughout the country, attempts were made to prejudice and stifle the voice of the people. They first refused to let them meet legally, and then when they assembled in any other way, the military were immediately called out, as if some insurrection were apprehended. Against such conduct, he should always think it his duty to protest.

The petition was read, and ordered to lie on the table.

CRIMINAL LUNATICS.] Mr. Bennet said, he rose for the purpose of moving for a paper, respecting which he had given a notice on a preceding evening: It was for a return of the number and names of persons who were now imprisoned in the House of Correction, Cold Bath-fields, under the 39th and 40th of the king. Since the last discussion he had visited the Cold Bath-fields prison, and he there found that every thing was precisely as he had stated. The elder Evans was confined with another person who bore the character which he had described, and the younger Evans was confined in the foul ward of the hospital.

Mr. Bathurst said, the motion of the hon. member referred to two objects, and with respect to the first, which related to the number of criminal lunatics confined, he could have no objection. He would find, however, that they all stood peculiarly situated, and did not come under the statute, which enabled and authorized the government to provide them with proper places. With respect to the allegations made by the hon. member concerning the two Evans's, he wished his candour had allowed him to go a little further, and state what passed between him and those individuals. He asked the hon. member whether, when he saw them, they did not say they had no complaints to make upon the subjects which he had mentioned in that House? For how stood the case? When the elder Evans was committed, the prison was so full that there was no accommodation for him on the first night, except by sleeping with a person who, he understood, was a felon. The next day the keeper himself stated that he thought it unfit he should be so associated; but Mr. Evans said the man was a very decent and respectable individual, that he liked his company and conversation, and wished that he might be permitted to remain with him. The same facts were declared to the hon. member by Evans, and why did he not, in candour, state it to the House? Evans now occupied what were called the state rooms, and he appealed to the hon. gentleman whether they were not comfortable and commodious? With regard to the younger Evans, it was true he was confined in what the hon. member chose to call the foul ward of the hospital; but he would again ask the hon. member, whether he ever saw a room more clean, or more proper for a person in that condition? Because, however, it formed part of

what was denominated the infirmary, the hon. member transformed it into a foul ward. He asked the hon. member whether the younger Evans made any complaint to him upon that subject? The younger Evans was also permitted to walk in the governor's garden, a privilege of which he frequently availed himself, because he should not be compelled to walk where the other prisoners assembled. He really, therefore, could not help wishing that the hon. member, while he stated that his former assertions were true in fact, had also stated, that no unfavourable circumstances were deducible from them.

Mr. Bennet said, that with regard to his not stating what passed between himself and the Evans's, the right hon. gentleman should recollect, that it was not he who urged whether they were pleased or displeased, but the right hon. gentleman himself. As to the name of foul ward, given to the place where young Evans was confined, that was the term by which the governor of the prison designated it. The place was clean, he allowed, but the grounds upon which he had brought forward the question were public, and connected with the general management of the prisons of this country. He still contended, therefore, that to confine persons who were merely imprisoned upon a charge of high treason with common felons, was improper.

The Attorney General bore testimony to the fact, that the younger Evans had frequently declared he had no complaint to offer, and that, as he could not be in the state-room with his father, the place he now occupied was the most agreeable to him.

Sir F. Burdett said, that what had been stated respecting the treatment of those persons might be very true, but there was one thing that struck him very forcibly in this case, namely, that they were in close custody, which was the greatest punishment the law could inflict on any person, for any length of time. One of them, indeed, was confined in a place where there were six thieves, who, certainly, were not very respectable company; but, such was the frame of the human mind, it would be glad to have any company, and to be associated with almost any persons rather than be left to pine in solitude and despair.

Mr. Canning did not suppose that the hon. mover wished to make any false statements, but what he understood him to

say on a former night was, that the prisoners complained of the mode in which they were treated. On the contrary, however, it now turned out, that they did not complain of the treatment they had experienced during their confinement. The complaint of the hon. gentleman was a sort of speculative feeling as to the nature of these confinements. The ground of complaint now was, that these men were allowed to have companions. He remembered a story of a man who was placed in solitary confinement having made a spider his companion; he watched his motions, fed it, and taught it to spin its web in a peculiar way; but the malicious gaoler observing the pleasure he derived from this mode of diverting his mind, killed the spider, when the unhappy prisoner exclaimed, that he felt a pang more severe than he had ever endured in his life. If the hon. gentleman, therefore, wished to have the associates of Mr. Evans removed, let the House of Commons and Mr. Evans himself remember, that it was the hon. member who had killed his spider.

The motion was agreed to.

DEBATE ON MOTIONS RESPECTING PETITIONS RELATING TO REFORM, &c.] Sir F. Burdett having moved the order of the day for resuming the adjourned debate on the Petitions presented for a Reform of Parliament,

The *Speaker* said, with the leave of the House, he begged to state, that since the former evening of debate, he had caused the several petitions to be assorted and classed according to their respective form and contents. The total number of the petitions was 527. Of these there was one to which no name at all was subscribed—two had no names signed on the papers on which they were severally written—twenty-eight contained the same allegations and prayer as the petition from Quick, which the House rejected on the 29th of January—468 were printed petitions—of the remaining twenty-eight there were eleven containing the same allegations and prayer as the petition from Halifax, which the House rejected on the 31st of January; and four containing the same allegations and prayer as the petition from Hollingwood, which the House rejected on the 13th of February. The remaining thirteen were in various other forms. With the permission of the House he would therefore suggest that the first question before them was, whether that

petition could be received which had no signature attached to it.

Lord Castlereagh said, that such a petition was a nonentity, and of course could not be received. The motion therefore was negatived. The *Speaker* said the next question was, whether the two petitions having no signatures on the same paper could be received? They were also refused. The next question was, whether the twenty-eight petitions expressed in the same words as the petition from Quick should be received?

Sir F. Burdett considered that this question deserved the most serious attention. By the law of the land, the subject had a right to petition the King and both Houses of Parliament. The bill of rights had secured this inestimable privilege to him, and it had been always regarded as one of the greatest bulwarks of our liberties. In the petitions then before the House, various grievances were complained of; but, particularly, the want of a proper representation of the people. On a former night, the House had objected to several petitions on the same subject, on account of certain expressions that were introduced into them. The noble lord opposite had objected, that the petitioners said, the present House of Commons did not represent the country. This was so comprehensive an objection, that the House had better say at once, it would not receive any petition for a reform of parliament. In what way could the petitioners ask for relief, if they were to be precluded from stating what was so notoriously true? On former occasions, strong suspicions only were entertained, that seats in that House were bought and sold; but never till of late had this shocking and disgraceful practice been brought to light, and the fact established beyond the power of contradiction. "You, Sir," said sir F. Burdett, addressing himself to the *Speaker*, "have expressed your strongest disapprobation of this vile traffic, and shall the people, then, be told, that they must not complain of such things? There are no words, Sir, that the people can employ on this subject, which your own indignation has not anticipated. If our ancestors, as you well observed, would have started with horror on hearing of these practices, why may not the people now complain that the House of Commons does not contain a fair and legitimate representation of the country? Other gentlemen had objected that the petitioners introduced

words merely to insult the House instead of confining themselves to the grievances of which they complained; but was it fair to search out matters of this kind, and to look over all that part of the petition which complained of real grievances? Finding however, that different gentlemen objected upon different grounds, it was impossible for him to know what would be agreeable to the House. Some hon. members certainly did not like to be told that they did not represent the people; but it was equally certain, and they themselves knew, that they did not sit there as the representatives of the people, nor could the people hope to have any grievances redressed by their exertions. He must contend, then, that these petitions ought to be received. If the House thought otherwise, it was of the utmost importance to the country that they should come to some decision, in order that the people might know in what language the House would be inclined to lend their ears to grievances.

Mr. *Wynn* said, that the objection to the petitions was, that the petitions went out of their way and brought into their petitions irrelevant matter, for the express purpose of casting censure and insults upon the House. He read, as an instance, that part of one of the petitions which called the debates in the House "tedious, protracted, and disgusting." Matter more clearly objectionable could not be conceived. What the hon. baronet required as to the House prescribing any form of language, or stating in some rule what language would be objectionable, it was impossible that it could be done. To suppose that the House should formally state every possible variety of words, phrases, or sentiments which would be objected to, was absurd. The House must judge on each case as it came before it, whether the petition contained a *bona fide* expression of grievances, or any matter insulting to the House. There were various shades. Some allegations might be made in offensive terms, the substance of which might be stated without offensiveness. Many of these persons stated, that if parliament had been reformed, the war would not have taken place. But no war could be cited that was more popular than the war of 1793. But the House must consider every petition as standing by itself as to its language, its substance, and all the circumstances attending it. Was there any other court of which it could be expected that it would sit and hear its conduct im-

peached and objected to in the grossest possible terms of abuse? Was it not notorious that a form of petition had been advisedly and upon concert drawn up in the particular terms, and that copies of it had been circulated with wonderful industry to all parts of the kingdom, even the most remote? Were not the copies so circulated accompanied by a communication or recommendation from a society, he could not say signed by the hon. baronet but at least stamped with a *fac simile* of the hon. baronet's signature? If the House were in any case to relax its rules, it ought to be where the petitioners intended not to insult the House, and not in a case like the present, where the terms were purposely and carefully selected, as those which were thought worse than the House could possibly tolerate. If the House were to attempt any such things as to lay down a rule as to the language and words which it should consider objectionable, it would only give those persons an opportunity of choosing words by which any such rule might be evaded, and then they would come to the House with language quite as offensive, or more so, and say that it was not within the rule. On the whole as it appeared to be the duty of the House to maintain its dignity, and to stand by those rules which their forefathers had observed, he thought it would not be enough simply to negative the motion, but that the House should mark its indignation at such conduct; and he therefore moved, as an amendment, "That the said petitions be rejected."

Lord *Cochrane* said, that after all the distresses and privations which the people had so patiently endured, they had received that return which they did not expect, namely, a suspension of the constitution. The House had been led to adopt certain measures which the state of the country did not justify; and which, he firmly believed, were only intended to prevent persons from meeting to state their grievances. No instance whatever had occurred of any disturbance at any of those meetings; but ministers had a particular object in alarming the timid. They now called upon the landed gentlemen to rally round them; but what was the situation in which those gentlemen stood? Why, it was neither more nor less than this—that they were about to be plundered of their property by the fluctuating state of the currency. The hon. member below had said, that the war of

1793 was extremely popular. Yes, ministers then found means to frighten the country, by giving out that Buonaparté was coming in a great hurry to invade us: and now they told the country gentlemen that the Spenceans were about to seize on their estates, and therefore, they should rally round the ministers. He hoped, however, that this delusion would not last. It was impossible, he thought, that men of judgment and experience should not soon see through it. The petitions then before the House complained of real grievances, and it would be a most offensive measure if they should resolve to reject them.

The *Attorney-General* was surprised to hear the noble lord say, that ministers had found means to prevent public meetings, for, unless the names of the members for Westminster had been forged, there was to be a meeting to-morrow, not to desire the people to rally round ministers, but to address the Prince Regent for their removal. The noble lord had said, there had been no riot or disturbance at any of the public meetings; but surely he must have been out of the country for the last six months, or he could not have been so ignorant of what had taken place. The language of these petitions was a direct insult to the House; and, therefore, he should vote for their rejection.

Mr. J. Martin thought the less offensive mode would be, not to reject the petitions, but to vote that they could not be received on account of their irregularity.

Sir Gilbert Heathcote said, the House ought not to refuse to pay attention to the petitioners, merely because they alleged that the House did not represent the country. Great offence had been taken at one of the expressions in these petitions; namely, where the petitioners spoke of "the disgusting debates in that House." He would now ask, upon a day like this, when it was known that upwards of 500 petitions were to be considered, what was the situation of the House? Most of the gentlemen had retired to take their dinners very comfortably, and the petitions of the people of England were treated with contempt.

Mr. Bathurst said, that the absent members, as well as those then present, knew the nature of the objections to the petitions—objections on which every member had already made up his mind. It was therefore no insult to the people. The

only insult in question was the one offered to the House by the language of the petitions. The petitioners, if they chose, might easily re-state their complaints in proper language, and then they would be received.

Mr. Abercombe put it to those who complained of the thinness of the House, whether the House had not something to complain of as to the conduct of the petitioners? There was no right which he held so sacred as the right of petition, and the conduct of these petitioners had a direct tendency to bring the right of petition into contempt. The petitioners well knew that their petitions must be rejected, and the House on behalf of the people of England, was called upon to reprobate their conduct.

Mr. Babington agreed that the language of the petitions was so objectionable, that they ought not to be received; but he thought the House should have so much tenderness towards the petitioners, as not to pass a direct vote of rejection.

Mr. Jones hoped no petition to that House not couched in respectful language, would be received. If, as some of these petitioners alleged, the House was not a representation of the people, why did those who entertained such an opinion approach it for the redress of grievances?

Mr. John Smith said, that although he must disapprove of the language of the petitions, yet on the ground taken by Mr. Babington, he would vote against their rejection.

On the main question being put for the rejection of the petitions, it was decided in the affirmative. On the question being put,

The *Speaker* intimated to the House that the next question for its consideration was, that the 468 printed petitions be now read.

Mr. Wynn rose to move, that these petitions should be rejected, and to express his surprise that the hon. baronet should have presented such petitions to the House, after the repeated decisions that printed petitions could not be received. There was no rule more strongly established, than that which ordered that no printed petitions should be received by the House. That rule was begun to be acted on in 1656; it was again recognised in 1793, and afterwards so late as the year 1813, in the case of a printed petition from Nottingham, on which occasion the hon.

baronet had been himself one of the tellers on the division that then took place, when the rule was confirmed by 75 votes against 11; and a few days afterwards, a petition from a major Cartwright, praying for leave to present a printed petition, was rejected. He wished the entries on the journals in these cases to be read. [The clerk then read the entries of the 30th of June and 7th of July 1813]. If the rule was not already established, what now took place would have rendered it necessary. Considering that the House had, so late as 1813, come to this decision, he could only think that these printed petitions were now sent for the purpose of being rejected, and, if possible, of exciting some exasperation in the people. The fact was established on the report of the secret committee, that this was one of the means resorted to for the purpose of exciting to acts of sedition and rebellion. The House was therefore called upon on this occasion to mark its displeasure at such petitions being now presented. He therefore was of opinion that these petitions ought to be rejected.

Sir *W. Geary* contended, that the rule of 1656 applied solely to private petitions, and therefore could not bear upon the present question. He decidedly differed from the petitioners in their view of the remedy for the public grievances, but still he considered they were right in stating openly and with candour their notions of the corrective. With regard to printed petitions, he would put this plain question to the House. If they were anxious honestly to know the opinion of the great body of the people on an important subject, what more desirable course could they adopt than to have the petition submitted to the people put in that form which gave the best security of the question being fully understood? To put them in a printed form, was, in his opinion, best calculated to produce that effect. He was convinced the petitions ought to be received.

Mr. *W. Quin* considered the rule of 1656 applicable, inasmuch as every petition not proceeding from a recognized public body must be considered private.

Sir *Francis Burdett* felt aware, that he should be only wasting time in discussing the question at present, seeing the treasury benches and those behind them, so full, and those on his own side of the House so empty. But having already delayed the question so long, he thought he

might be deemed blameable if he deferred it any longer. It was satisfactory to him, however, that the cause itself stood on such strong grounds that nothing had been said to impugn it; and he thought the hon. gentleman who seemed so conversant with this subject, and so extremely well versed in the journals of the House (though indeed he had unluckily selected an entry that by no means suited his purpose), might have recollected that a private order did not bind the House on all occasions, and more especially did not bind it in the case of petitions of the utmost importance to the subject—petitions against a grievance the most dangerous and inveterate of any, namely, the corrupt state of that House. However, the rule of 1656 could now be of no force whatever; the rule was framed by Cromwell's creatures, placed in that House by himself, and not one of them allowed to enter parliament till he was furnished with a ticket from the soldiers who surrounded the doors. That was not a period from which a precedent could be drawn for the guidance of future times. The rule in question, too, related only to private petitions and was aimed against a practice that prevailed at one time, of prejudicing the sentiments of members, by distributing printed petitions on private matters; and it was in order to prevent the printing and circulation of petitions, and the canvassing members with such views, that the rule in question was framed—the rule on which the whole argument against receiving these petitions rested. A foundation more sandy on which to rest an argument against receiving the sentiments of thousands of petitions it was impossible to conceive. The hon gentleman had referred to the discussions that took place in 1793; and how did they apply? Previous to Mr. Grey's motion for a reform of parliament, a petition was presented from the city of Norwich, by Mr. Hobart, and he (rather extraordinarily for the presenter of a petition) started a doubt, whether the petition, being printed, could with propriety be received. The doubt was immediately caught at, in the same manner as at present. The Speaker being applied to, referred to this order, as proving that it was against the practice of the House to receive printed petitions. Mr. Fox said, that no such order was directed against public petitions and that private petitions only were within the construction and spirit of the rule. Of nine members who

spoke on the subject, five were for receiving the petition, two were against it, and two doubtful. Mr. Sheridan then requested the hon. member who had presented the petition to withdraw it, for that day at least, in order to allow the more time to the important motion that was coming on to be discussed; the petition was in consequence withdrawn, so that nothing was settled by this entry of 1793. The discussion itself stood only on the doubtful rule of Cromwell's parliament. In 1813, reference was made to this supposed rule of 1793, and a division certainly took place, which could be now of no force, as it went on the supposition of a rule that never existed, or existed only in such a manner, that it could not be made the ground of proceeding at the present moment. If, then, no order existed against the practice, we must come to the reason of the thing; which, after all, was of much stronger avail than any order whatever. When we considered this part of the question, no objection whatever could be found against the reception of printed petitions, or none which might not with equal force be urged against the reception of written ones; on the contrary, there were many objections to written petitions which could not be adduced against petitions that were printed. Printed petitions were read and comprehended with much greater facility and accuracy than those which were written; and every man was able to see and understand what he was to sign. Printed petitions were not so liable to be altered as written ones, and every man who signed them must feel greater assurance that nothing but what he had signed would be presented to the House. The Bill of Rights, which ensured the right of petitioning to the subject, did not attempt to shackle it in any way, or to prefer one mode of petitioning to another. It did not require a goose quill to be made use of rather than a steel pen; or say that one sort of ink should be made use of rather than another. The printed form, he would contend, was the best. The king had no objection to receive a printed petition; the House of Lords had received a printed petition, and had actually made an entry of the receipt of one shortly after the Nottingham petition had been withdrawn in the House of Commons; though they certainly had said that it should not be drawn into a precedent; but why this reservation was made he could not conceive.

And should the House of Commons reject petitions after this, and obstruct the right of petitioning in the most dangerous manner? Formerly no objections were made to any paper that was offered: but this course having produced inconveniences, an order was made in 1780 that all petitions should be signed; but no order was made that they should be written, by the signer; and all the reasons of the thing were the other way, indeed, if any such order had been made, there was the strongest reason on the present occasion for suspending such an order, even though it were suspended with a reservation like that of the House of Lords, that the instance should not be drawn into precedent. A case of such magnitude as the prayer of 468 petitions would justify the suspension of any order on a point of practice, but in reality, the House could not make that order, it could not obstruct the right of petitioning. Even as to irrelevant or casually offensive matter, the House ought not to be too nice on all occasions; that, however, was not the present question. But no reason whatever had been given for the rejection of petitions, merely because they were printed. The hon. gentleman who spoke last had recommended a very odd way of getting rid of the difficulty. "Can't you," said he, "call the petitions private, and then reject them by the rule of Cromwell's parliament?" Certainly, the petitions might be got rid of in that manner; but they could not, in any rational sense of the word, be called private petitions. Sir Francis said, he felt the difficulty of a person, who had to prove a self-evident proposition; like a man who was called on to prove he was innocent, when, in fact, it was the other side who should have shown him to be guilty. Gentlemen on the opposite benches should show why these petitions ought not to be received. A lecture had been read to him, and he had been told he ought to refuse to present a petition, if it was couched in language the House had before rejected. On this point, however, he had acted to the best of his judgment; and he should never present a petition the less because the House had rejected its fellow. The laws of that House were not like those of the Medes and Persians, irrevocable; and it frequently happened that a vote given on one day had been reversed the next, by the complaisant concurrence of gentlemen on the treasury benches. In the affair of lord Melville,

the House had one day, at the instigation of Mr. Pitt, voted that his lordship should be tried by a jury; and the very next day on the same minister's representation, revoked the trial by jury, and ordered an impeachment. He, therefore, might reasonably hope to find the House in better humour on some occasions than on others, and might fairly expect that a petition rejected one day might stand a chance of being received the next; and, certainly, if a petition couched in terms that had been rejected came from a distance, he should feel it his duty not to send it back, but at least to offer it to the discretion of the House. As to what had been urged with so much vehemence concerning petitions that had been sent down into the country for signature, what objection could possibly be made to such a practice? The petitions must be drawn up somewhere, for it never could be supposed that all the thousands who signed could each draw up their own petition; it was sufficiently in their power to dissent from the terms of a petition by refusing to sign it; and what more could be required or expected? It might as well be contended, that a bond already drawn up and presented for signature, was not the bond of the person who signed it, as that these petitions did not contain the sentiments of their subscribers. They were much more easily read when presented in a printed form: and if they were not drawn up ready for signatures, how could their contents be acquiesced in or dissented from? Could it be seriously supposed, that a man without influence could prevail on thousands to sign against their inclinations, for the sake of furthering some project of his own? Besides, how did ministers act on such occasions themselves; how did they get signatures to their petitions and declarations? Did they not go about to taverns and bankers shops, thrusting their printed declarations into every hand, and compelling signatures from those who feared their interests might suffer if they refused? With them, indeed, all practices were considered fair; with those who wished to check them in their career of ruin, all was complained against as foul. Upon the whole, a body of public opinion had been raised on facts which admitted of no denial, that the representation in the House of Commons was altogether corrupt. Gentlemen might rail, but they could not erase the signatures from the bond, or stem the torrent of general reprehension. They might contend, that

some monster of terror—some magician with his wand (who, in fact, was no other than a very honest-hearted individual, acting, in all things for the best), could issue his petitions north and south, and countervail all the efforts and tricks of ministers. But, if they wished to consult the dignity of the House (not the dignity of being hated, as Junius called it), if they wished to preserve the respect and affections of the people, without any hateful admixture of the *oderint dum metuant*, they would never reject the prayers of the subject, because they were offered in a form of all others the most convenient and the least objectionable. Arguments of this sort, he was aware, would carry little weight in a quarter where the *sic volo, sic jubeo* was sure to carry a majority; but he felt it his duty to take a division on the question, however small that division might prove.

Lord Castlereagh contended, that if the House believed the hon. baronet really wished the petitions to be received, they must perceive that he had not argued the cause in a way to ensure their reception. The hon. baronet had presented them in the face of a rule, the existence of which was publicly known; and he had said nothing to show that the rule did not form a part of the practice of parliament. It was, indeed, a little extraordinary that the hon. baronet should cavil at the expressions of the rule in question, as he himself was one of the tellers on the division that took place shortly after the question came before parliament, on the Nottingham petition. He would contend, that these were private petitions in the parliamentary acceptance of the word private, and within the obvious construction of the rule; and the hon. baronet could not show a single usage to the contrary. He had, indeed, shown the usage of the other House; but that was in a case which was expressly prohibited from being drawn into a precedent, and therefore told against the hon. baronet. Anxious as he was to receive the petitions in question, and to preserve in all its privileges the right of petitioning, yet he thought the systematic trade of framing petitions, and calling meetings for the purpose of breaking the peace of the country, ought by every means to be checked in its growth. God forbid that he should impute to those who signed these 468 petitions, any settled design against the government of the country; they were most of them, he believed, deluded individuals; but he knew that designing men

went about the country, availing themselves of the rights of the people, for the purpose of calling meetings, in which they might exert every faculty, and rouse the passions of the people, for putting them in movement towards a general rebellion. Meetings, such as these, must be brought under the eye of the law; and, it was necessary that the House should hold fast to the established rule, and not relax it, in order to give facilities to individuals who were employed in this metropolis for the sole purpose of fabricating petitions to excite discontent. There never was a moment in which it was more necessary to consult the dignity of parliament; and as it was clear that the rules and practice of the House were against the entertaining of printed petitions, he should vote against the motion.

Mr. Smyth wished to give every latitude to the admission of petitions, but he could not help thinking that the hon. baronet, whatever his intentions might be, was actually following that course which was most calculated to defeat the right of petitioning. When the petitions of the people bore marks of conveying their own sentiments, the House ought to receive with indulgence any expressions they might contain; but the case was very different when they came in terms which appeared to have been dictated. It appeared, that in 1813, the House had come to a decision founded on former precedents, against receiving printed petitions, and he saw no reason for now reversing that decision.

Sir E. Brydges observed, that when the House saw all the petitions, not only couched in the same words, but (with scarcely any exception) printed by the same printer, it afforded strong presumptive evidence that such petitions did not speak the sense of the people from whom they professed to proceed. He should therefore oppose their reception.

Mr. Boswell opposed the motion. The House could not be surprised at there being such a similarity in the form and expressions of these petitions when they were aware that they had all proceeded from the same hand and mind. The helpless old gentleman, whom his friends in Westminster called the polar star of reform, had lately become a wandering star for the purpose of enlightening the manufacturing districts in the north of England and in Scotland, in which districts he had promoted meetings, at which he presided, and

urged the presentation to parliament of petitions for reform. These petitions were all sent by a preconcerted arrangement from the manufactory in London. The way in which these petitions were usually signed, might be inferred from one which he had happened to look at, purporting to be from a Hampden Club, the two first signatures to which, were those of an overseer to the poor and an old woman.

Mr. Peter Moore said, he had heard no sufficient reason assigned for not receiving these petitions. The order which had been read against receiving private petitions printed and circulated, was perfectly intelligible. There were many instances in the courts below of objections to the circulation of printed applications, founded, he supposed, upon the same ground as the order of 1656. They were objected to on the same principle as tampering with a jury would be considered objectionable. If there were really fears of the existence of a secret fire, concealment was not the best way of extinguishing it. If any machinations were going on against the state the best way was to give every encouragement to petitioning, in order that the House might not remain in ignorance of the opinions and feelings of the country at such a crisis; but he was far from placing any confidence in the assertions in the reports which had been presented to parliament, which he considered as gross libels on the people. He saw no just ground either on precedent or reason, for objecting to printed petitions, and should therefore support the motion.

The House divided:—Yeas, 6; Noes, 58; Majority against receiving printed petitions—52.

HOUSE OF COMMONS.

Thursday, March 13.

STATE OF THE TRADE AND MANUFACTURES OF THE COUNTRY.] *Mr. Brougham* rose and said:

Sir;—when I consider, that the period of the session is well nigh passed in which it has been the custom of this House, at periods of great public distress, to inquire into the state of the nation, and yet that nothing has been done to bring the subject before us, or to testify, on our part, a becoming anxiety concerning the sufferings of the people, I feel myself supported by this reflection under the magnitude of the vast question, which I have presumed to handle. We have, in truth, allowed

the accustomed season of investigation to elapse, without doing any thing except what, with all possible respect for the proceedings of parliament, I conceive to have been beginning at the wrong end. Mistaking the symptom for the malady, we have attempted to stifle the cries of the people in their extreme distress, instead of seeking the cause of their sufferings, and endeavouring to apply a cure. I am, indeed, aware, that there are many, who differ with me upon this subject; who deemed the late measures of legislation salutary and wise. But whatever variety of opinion might exist upon their merits, I may now appeal to all who hear me, to those who joined me in deprecating and resisting the suspension of the constitution, and to those who viewed this frightful step as justified by the necessities of the times, and call upon all parties alike to say, whether the moment is not at length come, when it behoves us to mount from the effect to the cause of the mischief; and, having done so much to preserve the public peace, whether it is not our duty to search for the means of alleviating the general misery by which alone that peace has been endangered. My very sincere anxiety to give the parliament an opportunity of discharging this duty has made me bold to bring forward the present question; too late, I admit, for attaining all the objects that might once have been within our reach; but early enough, I would fain hope, to effect some good purposes.

I am aware, that there is nothing so injudicious as to begin a discussion like this by hazarding any large and sanguine predictions of its probable result. Nevertheless, I will venture to say, that whatever difference of opinion may exist upon particular topics, a considerable majority of the House will agree in holding, that the period is now arrived, when, the war being closed, and prodigious changes having taken place almost all over the world, it becomes absolutely necessary to enter upon a careful but fearless revision of our whole commercial system, that we may be enabled safely, yet promptly, to eradicate those vices which the lapse of time has occasioned or displayed; to retrace our steps, where we shall find that they have deviated from the line of true policy; to adjust and accommodate our laws to the alteration of circumstances; to abandon many prejudices, alike antiquated and senseless, unsuited to the advanced age in

which we live, and unworthy of the sound judgment of the nation.

I shall begin, Sir, by entering upon the fundamental branch of the inquiry, which I am solicitous the House should institute; I mean the present aspect of our affairs. Every one is aware, that there exists in the country a great and universal distress; a distress wholly without parallel in any former period of its history. This, indeed, is unhappily matter of so much notoriety, that I should hardly think it required any particular proof or illustration, were it not that, according to my view of the subject, the extent to which the evil has spread, and the peculiar shapes which it has assumed, must be examined before we can probe its sources or find a remedy. The House will speedily perceive in what way this examination of the fact conduces to the object we all have in view; and will, I am persuaded, give me credit, in the mean time, for not leading them into superfluous details.

To demonstrate the general proposition, indeed, I might bid you cast your eyes upon the petitions that load the table, from all parts of the empire, from every description of its inhabitants, from numbers infinitely exceeding those that ever before approached us in the language of complaint. It is in vain to remind us of the manner in which some of them have been prepared for signature. Does any man believe, that a treasury manufactory of petitions, distributing the article through the country with all the influence of government, could procure one column of names to a statement of national prosperity, or a prayer for liberal taxation? Nor does the ineptness of the remedies, which many of the petitioners suggest, impeach the correctness of their tale of distress: they may be very incapable of devising the means of relief; they are abundantly qualified to give evidence of the grievance.

I might next appeal to the returns from the Custom-house, to show the declension of trade. I am aware, that these documents give no information respecting the internal commerce of the country, by far its most important branch; and that, even with respect to foreign traffic, nothing can be more fallacious than arguments wholly drawn from such sources. When taken, however, in conjunction with other evidence, they are not altogether to be disregarded. Now it is shown, by a comparison of the years 1815 and 1816, that there was a falling off, in the shipping em-

ployed during the latter year, of 826,000 tons, or nearly 5,000 vessels. This fact is the more remarkable, that we were at war during a quarter of 1815, whereas 1816 was the first whole year of peace. These returns speak of the tonnage outwards and inwards; but they tell nothing of the difference between the exports and imports of either year. I will venture to assert, that a much more considerable defalcation will be found in the importation of last year than the mere falling off in the tonnage indicates. I am well aware, that many millions of goods have been sent abroad, for which no returns have been received, and which never will produce sixpence to the exporters. Upon this point no Custom-house papers can give any information. They cannot show what proportion of the cargoes shipped have found a market; what parts have been sold under prime cost; what parts remain upon hand unsaleable at any price; and what parts of the goods imported are in a similar situation.

We have known former times of great national suffering; most of us are old enough to remember more than one period of severe public calamity: but no man can find an example of any thing like the present. In 1800 there was a scarcity, much greater than is now felt, but no distress ensued beyond the reach of private charity: and the affliction ended with the bad season; for, though provisions were dear, work was abundant, and the bulk of the poor were enabled to sustain the pressure of the evil. In 1812 there was a much greater distress; the dearth was less, indeed, but the rate of wages was far lower. The House well remembers the painful inquiries in which it was then my fortune to bear a considerable part. We were accustomed to describe the circumstances in which we found the manufacturing population of the country as wretched beyond all former example; and the expression was strictly justified by the fact. Yet, compared with the wide spread misery under which the same classes now labour, the year 1812 rises into a period of actual prosperity. It will be necessary for me, and I hope the House will grant me their indulgence, to go shortly into some particulars touching the great staple manufactures of the kingdom, in order to show how unparalleled in its amount, and how various in its kinds, the distress is, which now every where prevails.

I shall begin with the clothing; a branch

of trade, which, from accidental circumstances, is not so depressed as our other great staples; and for this, among other reasons, that the foreign markets do not happen to be overstocked with this manufacture, while some considerable foreign government contracts have given great assistance to several of the clothing districts. I hold in my hand the result of statements, which I have received from the principal clothing countries of Yorkshire—Leeds, Huddersfield, Wakefield, and Halifax. Taking the number of men engaged in the branch which suffers most, the cloth dressing, at 3,360 in August last, there were then 927 in full, 1,385 in partial employment, and 1,048 wholly out of work. Calculating upon the same number, there are now only 757 in full, and 1,439 in partial work; while 1,164 are entirely idle. That is to say, a third of the whole are idle; and of those who have any work, only one third, that is, two-ninths of the whole, or two men in nine, have full employment. The distress of the other clothiers in this county is far from being so considerable; but in the west of England I am informed, by the most unexceptionable evidence, that it exceeds any thing which can easily be conceived.

If we now carry our view towards the iron trade, a most gloomy picture is presented; and I may take the state of Birmingham as a fair symptom of this commerce in general, intimately connected as that great town is with the neighbouring counties in all the branches of their industry and commerce. In a population of 84,000 souls, about 27,500 receive parish relief. Of the work people, one third are wholly out of employ, and the rest are at half work. The poor-rates have risen to between fifty and sixty thousand pounds a year, a sum exceeding, as I am informed, what the inhabitants paid to the income tax. In 1812, when the House was so greatly touched by the state of this place, only a ninth part of the population were paupers, and the rates did not exceed 27,000*l.*, yet we then thought the public distresses had reached their utmost pitch.

The people engaged in the iron trade may be divided into four great classes, with reference to my present purpose; the miners, and others employed in obtaining the raw material; the persons employed in manufacturing arms; the nailers; and the common artificers. The first of these classes, who in 1810 received from 18*s.*

upwards as far as two guineas a week, get now from 10s. to 18s.; the second who received still higher, I might say even exorbitant wages, from the demand occasioned by the war, now get only 7s. 6d., when they are employed at all: the nailers, who are better off than most classes, yet earn no more than 8s. or 9s. instead of 12s. or 15s.; while the common artificers are working at a shilling a day. But in all these classes the women and children, who used to earn so much as nearly to double the gains of the able workmen, are now wholly unemployed. Sir, I do not wish to mingle any allusions of a political nature with the description of these sad scenes; but I feel it due to the character and the sufferings of those unhappy persons to assert (and I do so upon the authority of men who differ with me in political sentiments), that a more loyal, peaceful, tranquil set of people are not to be found within the limits of his majesty's dominions.

It is truly painful to think, that, severe as the distress is in those parts of the country, which I have been describing, a yet more melancholy picture presents itself when we turn to the great staple of the country, the cotton manufacture. This, as the House is well aware, consists of two branches, the spinning and weaving; but, from the introduction of machinery, the numbers employed in weaving are beyond all comparison greater than those employed in spinning. In Lancashire alone, and the borders of the adjoining counties, there are above half a million of persons who derive their support from the former. Taking the average gains of a thousand weavers, of all ages and classes, their rate of wages was 13s. 3d. a week in May 1800. In 1802 the same persons received the still higher sum of 13s. 10d. In 1806 it had fallen to 10s. 6d.; and in 1808, after it had pleased the wisdom of government to "retaliate," as they phrased it, "upon the enemy the evils of his own injustice," and to inflict upon ourselves (as the event proved to such as had not the sense to perceive it) the evils of our own impolicy—when we had succeeded in quarrelling with our best customers—those wages fell as low as 6s. 7d. In 1812, when the whole virtues of our system had been called into action, and had bestowed the full measure of its beneficence upon our trade, the wages fell to 6s. 4d. In 1816, the third year of peace, and while we were slowly moving through that transition of which

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we have heard (though it seems something of rather a permanent than a passing nature), wages were as low as 5s. 2d. This was in the month of May; and in January last they had reached the fearful point of depression at which they now stand, of 4s. 3½d.; from which, when the usual expenses paid by the work people for the loom are deducted, there remains no more than 3s. 3d. to support human life for seven days. By another calculation it appears, that 437 persons have to provide for themselves and as many more out of 5s. a week; making, for the whole subsistence and expenditure of each individual, less than 4½d. a day.

When I paused over this scene of misery, unequalled in the history of civilized times, I felt naturally impelled to demand, how it was possible to sustain existence in such circumstances, and whether it were not practicable to administer charitable aid? To the first question I received for answer the painful intelligence, that those miserable beings could barely purchase, with their hard and scanty earnings, half a pound of oatmeal daily, which, mixed with a little salt and water, constituted their whole food. My other inquiry had been anticipated by that well known spirit of kindness, not more humane than politic, by which the demeanour of the master manufacturers in this country has ever been regulated towards their workmen in the seasons of their common distress. Projects for affording them relief had been canvassed; but it was found, that to distribute only a slender increase of nourishment, an addition of a little milk, or beer, or a morsel of meat, to the oatmeal and water, no less a sum than 20,000*l.* a week was required, and at a time when the masters were hardly receiving any profits from their trade. To talk of charity, then, is entirely out of the question; the case lies far beyond the reach of private beneficence; and, if it admits of a remedy at all, must look to other sources of relief.

Now what is the consequence of all this, and whither does it inevitably lead? These wretched creatures are compelled first to part for their sustenance with all their trifling property, piecemeal, from the little furniture of their cottages to the very bedding and clothes that used to cover them from the weather. They struggle on with hunger, and go to sleep at night-fall, upon the calculation, that, if they worked an hour or two later, they might indeed earn three halfpence more, one of which

must be paid for a candle, but then the clear gain of a penny would be too dearly bought, and leave them less able to work the next day. To such a frightful nicety of reckoning are human beings reduced, treating themselves like mere machines, and balancing the produce against the tear and wear, so as to obtain the maximum that their physical powers can be made to yield! At length, however, they must succumb; the workhouse closes their dismal prospect; or, with a reluctance that makes their lot a thousand times more pitiable, they submit to take parish relief; and, to sustain life, part with the independent spirit, the best birthright of an English peasant.

If from these details we ascend to considerations of a more general nature, and observe certain symptoms, which, though less striking in themselves, are perhaps the safest guides in such an inquiry, we shall find, that nothing is happening around us on any side, which is not indicated by these signs of the times. The first of the symptoms to which I shall refer is the great diminution that has taken place in the consumption of luxuries all over the country. This is attested by the undeniable fact, that there has been a material and increasing defalcation in the produce of the customs and excise, especially of the latter, during the last twelve months. It is well known, too, that those districts suffered first, and most severely, which depended upon the manufacture of luxurious articles. Every one is familiar with the case of Spital-fields. The poor of that neighbourhood, after having exhausted the whole rates, have received from voluntary contributions, reflecting the highest honour upon the charitable and liberal character of the metropolis at large, sums, which, added to the rates, exceed the whole income of the parish at rack rent. In like manner the levies of Coventry and its neighbourhood have increased beyond all former example. It appeared, when the petition from thence was presented, that one estate of 200 acres paid 400*l.* in rates. A singular instance, illustrative of the same position, with respect to the county generally, was stated by my hon. friend the member for that city (Mr. P. Moore), and, through his courtesy, I have this evening seen a more minute account of it than he then gave. A person belonging to the place has been accustomed for many years to travel over a great part of England, selling watches.

He visits, in his circuits, 283 cities and towns, and he used commonly to dispose of about 600 watches. Last year, making precisely the same round as usual, he only found purchasers for 43. Perhaps, when we consider the variety of classes who use watches, and the extent of the space over which this diminution operated, it would be difficult to imagine a stronger symptom of the decrease in demand for luxuries. The watch trade in London has suffered in an equal degree. The statements recently published show, that there are now 3,000 journeymen out of employment; that those who are in work have been earning for the last three months one fourth of their usual gains; and during the last month only one sixth; while their property has been pledged to the amount of 1,600*l.* in three quarters of a year. If I am not misinformed, other trades in the metropolis suffer in a like proportion. It is said that 2,000 of the 18,000 journeymen tailors in Westminster are wholly destitute of work.

I take the great discontent excited throughout the country by the introduction of new machinery to be another symptom, and a most unerring one, of the present distress. Formerly, when the invention of any piece of mechanism for abridging manual labour occasioned an alarm among the working people, it was partial and transient. Those who were thrown out of employment speedily found other channels of profitable occupation, the population disengaged by the new machine were absorbed, with their industry; and in a short time the traces of the change disappeared, except that its beneficial effects upon the capital of the country soon created a greater demand for labour than existed before the invention. But now the case is widely different. The petitions, which night after night are presented to us by thousands and tens of thousands, complaining of machinery, testify, that when workmen are flung out of one employment they can no longer find others ready to receive them; and that the capital saved by the abridgment of labour no longer produces its former healing effect. When sir R. Arkwright invented the apparatus, which has proved of such benefit to this country, though it deprived many thousands of their livelihood for the moment, yet no particular discontent was excited. I have obtained from two of the greatest cotton spinners, in both parts of this island, an estimate

of the saving in manual labour effected by that machinery; and as both concurred in stating, unknown to each other, that by means of it one man can do the work of a hundred, I may assume the calculation as pretty near the truth. So considerable a shock to the labouring population produced scarcely any discontent. The case is so different now, when the smallest improvement is made in the means of economising human power, that I hardly know whether to rejoice or be sorry at any such change. There has of late been a considerable accession of mechanical power in the weaving trade; and though it cannot operate like the spinning mills, yet it bids fair to throw numbers out of work, and destroy even the scanty pittance at present gained by a great number of those wretched individuals, whose hardships I have been describing to-night—I allude to what is called the Power Loom, by which one child is enabled to do the work of two or three men. But the House will hear with surprise and vexation, that mechanical improvement has, as it were, reached its limit; an unexpected impediment has started up to check its farther progress. It is now found, for the first time in the history of mankind, so low are wages fallen, so great is the pressure of distress, that manual labour is making reprisals on machinery, standing a successful competition with it, beating it out of the market, and precluding the use of an engine, far from costly in itself, which saves three labourers in four. The farther introduction of the power loom is actually stopped by the low rate of weaver's wages! There are, however, other branches of industry, as the printing and lace trades, which have been lately threatened, if I may so speak, with the competition of new mechanism, and of such powers as not even the miserable wages of the day can be expected to resist.

The last symptom of distress which I shall mention is the state of the money market. I am aware that there are some who view this subject in a very different light. I know not if the right hon. the chancellor of the exchequer concurs in the opinion recently delivered from high authority in another place, no less than that of the first minister of the country, and the person at the head of its finances. That noble lord is reported to have drawn the most favourable augury from the late rise of the funds, which he ascribed, by some process of reasoning not very easily fol-

lowed, to the suspension of the Habeas Corpus act. However injurious this measure may prove to the constitution, it seems we are to regard it as highly favourable to trade. Now suppose I were minded to turn the tables upon the noble lord, and bid him look at the still greater rise of the stocks after the report of the committee appointed to examine the contents of the Green Bag. That famous document first unfolded the existence of the Spencean plan, and was calculated directly to bear upon the funds; because, according to the true faith of that great sect, though the landholder is bad and fit to be despoiled, the fundholder is "a monster, and must be hunted down." So says the report; yet the funds rose upon its appearance: from whence I might argue, if I chose to adopt the ground of the first minister of finance, that the fundholders one and all disbelieved in the existence of the plot. I will not, however, take this advantage of the noble lord, by following his own example. I am satisfied with drawing, from the state of the stocks and the money market generally, inferences more naturally connected with the subject, and in favour of the view I have already taken of public affairs. It is well known, that there exists at present a facility of obtaining discounts at 4 and $4\frac{1}{2}$ per cent. on bills of short dates, which even a year ago were not to be procured at a much higher premium. Stocks, too, have risen; they are 10 per cent. higher on the nominal capital than they were a few months since. Exchequer bills, after two several reductions of interest, leaving the income upon them at only $3\frac{1}{2}$ per cent., still bear a premium. What does all this prove? If I saw that there was any proportionate facility in obtaining loans upon land at 5 per cent., that is, upon the best security our law affords, I might be inclined to pause. before I ascribed the state of the money market to a glut of unemployed capital. But hitherto none of this capital has overflowed upon the land; and the fact is unquestionable, that there is much money in the market of stocks, floating debt, and discounts, only because there is little or no employment for it in trade, and because no capitalist chooses to put his money beyond his reach for more than a few months, in the expectation that commerce will revive. The want of employment at home has a tendency to drive capital abroad; and signs of this emigration have already manifested themselves in the ne-

gociation of loans with foreign powers. One transaction of this nature has already been concluded with France; and undoubtedly the greater part of the money to be advanced in the course of it will come from the capitalists of this country. America is said to have two speculations, of a similar description going on at the present moment in the city. Respecting one of them I have heard some particulars; and it resolves itself into a stock operation, the object of which is the application of British capital to the support of the American funds. How indeed is it to be supposed, that capital should not find its way abroad, when, on the other side of the channel, it fetches in the public stocks nearly double the interest given by our funds, and much more than double the interest paid by our floating debt? The state of foreign exchanges with this country I shall at present only glance at cursorily, because I venture to assure the House, that, before I sit down, if I do not altogether fail in stating the views I entertain of another branch of the subject, I shall be able to demonstrate the necessary connexion between what is called a favourable rate of exchange and the depression of foreign commerce. That rate is in fact only another proof of the unnatural state of our trade; it is the immediate result of forced exportations, with scarcely any importation in return. Thus it happens, that, when goods have been sent to any part of the continent, from whence nothing can be brought back, in order to remit the produce of the sales, there is a demand for bills; but there being no transactions ending in this country, and no real bills, fictitious drawing is resorted to, until the pound sterling is raised to a height above par, very favourable indeed to those who spend money abroad, but wholly useless to traders, who can buy nothing there to sell again in this country: a height, too, which it cannot retain as long as there is bullion to send over; and which, when properly understood, indicates the existence of a traffic unnatural and necessarily short-lived—exportation without imports.

Sir, when such is the unparalleled state of embarrassment under which two of the great branches of national industry, commerce, and manufactures, labour, it would be in vain to expect, that any material or permanent improvement should take place in that, which is the ultimate source of all wealth and prosperity, and is inti-

mately connected with every other employment—I mean our agricultural. If we hear less at the present moment of the distresses of the landed interest, it can only be because the consumption of the foreign grain, which last year oppressed the markets, and the measures adopted by the legislature to shut out this competition, have been aided by a scanty crop, and have raised the price of corn. Those districts, where the harvest has been tolerable, are therefore comparatively well off; whereas last year the suffering was universal; but wherever the crop has been a failing one, that is, in the greater part of the country, the high price is by no means a compensation for the deficiency and the poor-rates. I have therefore no manner of doubt, that the land is, generally speaking, worse off than before. It is indeed a vain and idle thing to take distinctions between the different orders of the country, and to speak of the agricultural and mercantile classes as if they had opposite or even independent interests. They are all intimately and inseparably connected by the eternal nature of things; they must for ever run together the same course, whether of progress or decline. I will give you, on this matter, the words of a man, who, having by his honest industry become the greatest ornament of the one order, made himself, by the fruits of his honourable gains, a distinguished member of the other, and afterwards rose, by his sagacity and experience, to adorn also the literature of his age. “Trade and land,” says Mr. Child, “are knit each to other, and must wax and wane together; so that it shall never be well with land but trade must feel it, nor ill with trade but land must fall.”

The House will feel how much less difficult it is to describe the extent and intensity of the prevailing distresses, than to trace the various causes which have concurred in producing them, and to separate those portions of the evil, which arise out of temporary circumstances, from those which have gone on increasing with a slower growth, deeply rooted in the system of policy that has been established amongst us, or at the least closely interwoven with it. But I should not deal fairly with the House if I did not thus early state my opinion as to the nature of those causes generally: it is founded upon the universal extent and the great variety of the distresses which I have been describing; and my principal reason for entering so

largely into that description was, not certainly because it required any such evidence to prove the miserable condition of the country, but because, from the universality in which the pressure prevails, I deemed the inference to be unavoidable, that it springs from causes of no temporary nature. It is quite true, that a transition from war to peace must always affect several branches of public wealth, some connected with foreign, but a greater proportion with domestic trade. Thus two departments of industry have suffered severely by the cessation of hostilities; the provision trade of Ireland; through it also, the cattle market of this country, and the manufacture of arms at Birmingham. The distress arising from the peace in those branches of commerce may be temporary; if all the other channels of trade, unconnected with the war, were open, it certainly would be temporary. But when we find the depression general in all lines of employment, as well in those uninfluenced by the war-demand, as in those wholly dependent upon it; when we see that hands thrown out of work in one quarter can no longer be absorbed into the other parts of the system: when there plainly appears to be a choking up of all the channels of industry, and an equal exhaustion in all the sources of wealth—we are driven to the conclusion, that the return of peace accounts at the utmost only for a portion of the sad change we every where witness, and that even that portion may become permanent from the prevalence of the evil in quarters not liable to be affected by the termination of the war. I have shown you, that the cotton trade, wholly unconnected with the war, is more depressed than the iron trade in general, and to the full as much depressed as the very gun manufactory at Birmingham. I am entitled to conclude, first, that the transition from war to peace has not produced all the mischief; and next, that the mischief which it has produced might have been got over, as in former times, if it had been the only one which oppressed us. Sir, we must once for all look our situation in the face, and firmly take a view of the extent of our disease. It is not of a partial description; it is of general prevalence; it is of a searching nature; there is no channel of our whole circulation into which it has not worked its way; no fibre or filament of our whole economical system that does not feel its deadening influence; not one

limb has been hurt, but the whole body is impaired in the exercise of all its functions. Can we expect it all to heal and revive of itself, and in a short time? I need hardly remind you, that we are now approaching the fourth year of “transition,” and still no relief, no mitigation; on the contrary, we experience an increase of our calamity; whilst every one knows, that in less than half the time, from the end of all former wars, a complete recovery was effected. I shall therefore endeavour to describe what, after all the attention that I have been able to give the subject, appear to me the real causes of the unnatural state in which every man must admit the country is placed.

I must entreat the House impartially to fix their eye upon the line of policy, which for many years past has been adopted by the public councils of the country. In referring to it, I shall as much as possible avoid the more debateable grounds of the commencement and continuance of war, and keep to points upon which I believe a very little explanation will preclude the possibility of any considerable difference in opinion. It should seem, that those who style themselves the practical politicians of this country (because they are the dupes of a theory as visionary as it is absurd) have long been surrounded by a class of men, who, blending with what is termed true mercantile knowledge much narrow-minded, violent, national, prejudice, or, as they call it, genuine British feeling, assume to themselves the style and title of the “sound statesmen,” and certainly do in good earnest exert a real and practical influence over the affairs of the nation. With these sage instructors of almost every administration (and they are generally found united in place with their pupils, and knit to them by the endearing reciprocity of good offices), it is a maxim equally sacred and profound, that too much can hardly be done to discourage importations of all kinds and from all countries. The old mercantile system has long been exploded; but these wise personages, having been born and bred up in it, seem to have caught hold of its last plank, to which they still cling with all their might, perpetually conning over its grand motto—“All trade, and no barter; all selling, and no buying; all for money, and nothing for goods.” To support the remnants of a doctrine, universally abandoned in every enlightened country, all means are resorted to, fair and foul; for

in defence of their favourite creed, these sound advisers betray a morality far from rigid or scrupulous. The theory itself is repudiated, and its very name disowned by all who have received a liberal education. No man is to be found hardy enough, no one so careless of his reputation for common sense, as even to use its language. How long is it since the "soundest" politician among us has ventured to speak, in public at least, the jargon of the balance of trade? Yet, marvellous to relate, the practical results of this extirpated heresy are interwoven with our whole commercial policy; and, though the nonsense, and even the dialect of its tenants are rejected of all men, they are disguised in legal phraseology, embodied in efficient regulations, and may be traced in broad characters through every volume of the statute book down to the last. Year after year we have proceeded under the auspices of our wholesome, practical, sound, national statesmen, until we now find ourselves, as might naturally be expected, deprived of most of the great staples of foreign commerce.

In mentioning a few instances of our obligations to these sagacious counsellors, I must say a single word upon the corn bill, which, strictly speaking, comes within the class of measures I am alluding to. To the opinion, which I originally entertained upon that law, I still adhere. I feel now, as I did then, that its first effects are injurious, by cutting off a great article of foreign trade; but I look for an ample compensation of that injury in advantages of a higher nature; the ensuring a regular, a safe, and ultimately a cheap supply of the great necessary of life, which no change of foreign policy, no caprice of hostile governments, can impede or disturb. It may also be admitted by those who disapproved of the measure as a permanent branch of our policy, that the circumstances of the times justified its adoption as a temporary resource. At any rate we resorted to it, not as the only prohibitory law in our commercial code, but while almost every branch of trade was struggling in the fetters of the restrictive system. We approved of it for special reasons, many of them temporary in their nature; and regarded it as an exception justified by those reasons, and by the unnatural state of our whole polity. The doctors of the mercantile school jumped at it as a part of their scheme, and as coinciding with the numberless

trammels which they had devised for commerce in all its departments, and the removal of which might very possibly alter our whole opinion upon the corn bill. Let us only cast our eye over a few of those regulations.

I shall first request the attention of the House to the exploits of these sages in the Baltic trade. That branch of commerce has always been deemed highly important, both to our shipping and our mercantile interest; both with a view to defence and to gain. Its short voyages make it an excellent nursery for seamen; its quick returns are highly favourable to profit. Circumstances, which I need not enumerate, render it a peculiarly secure and steady kind of traffic. Yet, of the four great staples of the Baltic trade, two, including the greatest of the whole, have been cut off. We still receive hemp and tallow; but we have prohibited the importation of iron and timber. And to what views have we sacrificed this important market for our goods? To encourage ruinous speculations in this country, we imposed a duty upon foreign iron amounting to a prohibition; while, to force the importation of inferior timber from our North American colonies, that is, to gratify the Canada and shipping interests, always highly favoured by the school of the practical and right hon. gentleman opposite (Mr. Rose), we excluded the greatest staple of the Baltic. Instead of leaving the adventurers in mines to their fate, suffering them to thrive if they could by their natural resources, we encouraged them, by extraordinary stimulants, in a pursuit, which sound policy would rather have discouraged; a precarious, gambling, and upon the whole a losing concern to the country. Mark the consequences of this system. We used to export 4 or 500,000*l.* of our manufactures annually to Norway; that vent, I understand, has now ceased, Norway having no other means of making payment but the iron and the timber, which our modern practitioners of antiquated wisdom have seen good to exclude altogether. Canada, for whose sake the sacrifice was partly made, no doubt, still remains ours, in spite of all the pains we took to lose it; but there is no part of this country at present so distressed as the mining districts of Wales. A similar prohibition of foreign copper has cut us off from one of the principal articles of South American produce.

It is not many days since some conversation took place respecting an act of last session, which imposed protecting duties on foreign butter and cheese. I then expressed my repugnance to any extension of that protection; and I will now mention a fact within my knowledge, both to show how dangerous this sort of legislative interference is in a vast, complicated, and delicate commercial system, and also to demonstrate how little a high rate of exchange indicates a thriving trade. The instant that those duties were imposed, as true as the pulse keeps time with the stroke of the heart, foreign exchange rose, as it is called, in our favour 2 or 3 per cent. A branch of our importation was lopped off; it became more difficult to remit from abroad, in the first instance, and consequently must have become proportionably more difficult to send goods thither immediately after; our whole foreign trade was sensibly diminished, and by the very operation which raised the exchange, and in exact proportion to its rise. So much for the quick effects of the operations in which these sound personages delight; so much for the accuracy of the symptom which they consult as infallible in pronouncing upon the state of commerce!

The same perverse views have long regulated our commercial intercourse with France. Partly from mercantile views, partly from feelings of a political, and almost a religious nature, there are many amongst us, who have laid it down as a principle, from whence they hold it nearly impious to depart, that as little wine as possible must be taken from France. Although that fine country is our nearest market, and ought to be our best customer; although the vine is its chief produce, and its wines are allowed by all to be the best, by some considered as the only ones drinkable: yet their importation is to be avoided because France is our natural enemy, and Portugal our dear, and indeed costly friend. In the true spirit of this creed, the chancellor of the exchequer some time ago laid a new duty upon claret, not with any view to revenue, but, as he himself declared, in the technical language of his sect, with the hopes of discouraging the use of French wines, upon principles of a political nature. It may, for any thing I know, be, in the contemplation of this class of statesmen, a mark of comprehensive policy in a manufacturing country to refuse those articles, which it wants the

most and likes the best, and which alone enable a trade with its best customer to be kept up. But if I may be allowed to speak as a trader, availing myself of the flattering compliment bestowed upon me last night by the worthy alderman (Atkins), and to proceed on the suggestions of common sense, I should regard such conduct, not as the result of sound policy, or of any policy at all, but as dictated by prejudices bordering on insanity.

But it is somewhat melancholy to think that worse blunders remain untold. The conduct pursued with regard to the linen trade very considerably surpasses all that I have mentioned; for it has been as directly in hostility to the favourite principles of the mercantile school as to the interests of the country. That school has always patronized the carrying trade in an especial manner; and I believe I may assert, that no branch of it was ever more productive than the transit of foreign linens; yet upon this we began, and never stopped until we had imposed a duty of 15 per cent. upon all linens imported and re-exported. If I am asked to explain why we did so, I cannot; for here the wit of man would in vain search for any thing like a reason. But I can tell what the ministers thought they were doing all the while. The fact is, that many nations prefer foreign linens to our own; and they used to buy those linens here. We saw this, and said they should not have them: so to legislate we went; resolved, that an act of parliament should pass the two Houses, and should then receive the royal assent, as requisite to make it binding upon the taste of foreign countries, which we expected would be changed to please us the instant that the solemnities of legislation were completed, and the accustomed words from the Crown pronounced. What has been the consequence? Those nations, who formerly repaired to British markets, laid in their investment of foreign linens, and at the same time completed their assortment in British goods (the foreign linen operating as a kind of decoy, from the convenience of finding all their cargo in the same place), all at once ceased to visit our ports. They were unmannerly enough to disregard our law, although it had been passed with every one of the accustomed formalities; they took their course to Hamburgh, Amsterdam, and Copenhagen, where they could get the foreign linens somewhat cheaper than we ever sold them. This latter advantage

they had always disregarded, considering the opportunity of conveniently completing their assortments of British articles as a compensation for it; but the transit duty was much greater than the trade could bear; it proved, as indeed it was meant, a prohibition; only that the contrivers of it, who did not mean to drive the purchaser to a foreign market, forgot that they had no means of keeping him in one where they would not sell him what he wanted. They forgot, too, that his departure not only destroyed the transit trade, but the trade in British goods connected with it and now transferred to foreign countries. The House, no doubt, must be prepared to hear, that this scheme of perverse and short-sighted folly, is not of yesterday. It betokens so low a state of information, so gross an ignorance of the subject, so senseless a disregard of the most obvious principles, that every one will readily conjecture its origin to be lost in antiquity. At all events, it must have been invented prior to the date of the mercantile system, itself now exploded; for nothing can more clash with the doctrine of promoting the carrying trade. Then what will the House say, if it is less than a century and a half since this notable law passed? What if, after ages of experience, after the full knowledge imparted by the multiplicity of events and changes crowded into the last twenty years—what if this statute was deliberately passed not longer ago than the year 1810, under the auspices of the present ministers! What if, no farther back than last year, parliament were induced by them to decline revising this piece of nonsense, and expunging it from the book! Sir, these are indeed things, which it requires the evidence of all our senses to make us believe. But if such be the groundwork of our commercial system, there can be little difficulty in comprehending the mischiefs that must sooner or later flow from it.

There are numberless other instances of the same policy, which I might detail to the House. I might speak of the duty upon the exportation of coal, amounting at ordinary prices, to 70 per cent.; but for which that article might find a ready market in France, provided we agreed to take French goods in return. Here indeed we may be said to act consistently; for, when we refuse to receive the produce of a country, it seems natural enough, though perhaps it is superfluous, to prevent ours from going thi-

ther. We are not, however, so consistent in all the branches of this system. While we protect agriculture in some respects, we allow the importation and prohibit the export of wool. This deviation from the general rule is professedly to encourage manufactures, by denying to foreigners the use of the raw produce; yet cotton twist is allowed to go abroad, though it is in the first stage of manufacture; and one should think it full as easy for the continent to grow long wool as to erect spinning mills. The arrangement of the silk duties affords matter of similar observation; but I abstain from leading the House into farther details. I think I may venture to assert, that, taking all things into the account, the time is now arrived, when the circumstances of our situation imperiously demand a full and unsparing review of the whole commercial policy of this country: and not only the branch of legislation which bears a more immediate reference to trade, but the navigation law itself requires the same prompt and accurate revision.

Whether I consider that system with a view to national defence, or to commercial wealth, I feel persuaded, that no time should be lost in at least relaxing the rigour of its provisions. Many speculative writers have maintained, that it was from the first a sacrifice of wealth to security; but I am disposed to admit, that it was originally calculated to promote both these objects. I think it may fairly be allowed to have hastened, by half a century, an event which must sooner or later have happened, the transference from the United Provinces to this country of a large portion of trade, which though naturally belonging to us, had been attracted by the peculiar advantages which enabled the Hollanders to possess themselves of the commerce of all other nations. But whatever may have been the good policy of the navigation law, I am quite clear, that we have adhered to its strict enactments a century after the circumstances which alone justified its adoption had ceased to exist. What is now passing in the colonies affords a striking illustration of its impolicy in the present times. Whether in consequence of orders from home, or of the views entertained by the local governments, the navigation law is enforced, it seems, with unusual strictness, a stop being put to the licences granted under the intercourse act for importing provisions in foreign bottoms. What

course does America pursue to meet this protecting measure? She says, as you will not suffer us to supply your settlements, in any vessels but your own, with those articles of which they stand so much in need, that they may starve for want of them; we "retaliating on your head the mischiefs of your own policy," forthwith shut our ports against all vessels coming from ports from whence you exclude ours. This is the substance of a bill lately before congress, now passed into a law. I have in my hand a copy of it, which has just arrived; and I know, that the greatest alarm has been excited by it in our West India colonies, as well as among all who are connected with our North American fisheries. Here is a striking specimen of that obstinate, perverse system, that refuses to vary with the alteration of circumstances; that will not accommodate itself to the progress of events, or follow the course of times and seasons, but clings superstitiously to what is now inapplicable, though it may once have been important; as if time were standing still, and history were not the record of unceasing change.

Surveying, then, the derangement which pervades every branch of the public economy; seeing how our trade is cramped by the short-sighted operations of an unenlightened and senseless policy; finding what trifling relief, and that little accompanied with serious obstructions, it has derived from the prosperous condition of our foreign affairs; we may assuredly affirm, that there never was a period in the vicissitudes of our fortunes when British commerce might, with so much truth, be said to labour for its existence. Casting our eye over every point of the compass, and scarce able to descry any from which a solitary ray of comfort or of hope breaks in, it is natural for this House, to whose hands the sum of affairs is committed—for our unfortunate brethren, suffering under distresses that baffle description, after bearing us, by their industry and their patience, through the late eventful struggle—for the whole population of the empire, exhausted by the drains of a protracted warfare, weighed down by the pressure of the intolerable public burthens which it has accumulated, and now cut off from the temporary relief which the unnatural monopoly of that war afforded—it is, I will say, but natural and reasonable for us all to direct our expectations towards any untried resources, any new opening that may

present itself to the industry of the community. There can be no field of enterprise so magnificent in promise, so well calculated to raise sanguine hopes, so congenial to the most generous sympathies, so consistent with the best and the highest interests of England, as the vast continent of South America. He must indeed be more than temperate, he must be a cold reasoner, who can glance at those regions, and not grow warm. The illustrious historian [Robertson] who has described the course of their rude invaders, relates, if I mistake not, that when, after unparalleled dangers, amid privations almost insupportable, through a struggle with sufferings beyond endurance—weary, hungry, exhausted with the toil, scared at the perils of their march, they reached at length the lofty summits so long the object of their anxious enterprise, they stood at once motionless, in gratitude for their success, in silent amazement at the boundless ocean stretched out before them, and the immeasurable dominion spread beneath their feet, the scene of all their fond expectations.—And now the people of this country, after their long and dreary pilgrimage, after all the dangers they have braved, the difficulties they have overcome, the hardships they have survived, in something like the same state of suffering and exhaustion, have that very prospect opened to their view! If any sense of justice towards them, any regard for the dictates of sound policy, any reverence for the real wisdom of past ages, has influence over our councils, they must be enabled and invited to approach that hemisphere, and partake in the numberless benefits which flow from such an intercourse. Upon our good pleasure it depends to command the virgin resources of that mighty expanse of territory—variegated with every species of soil—exposed to all the gradations of climate—rich from the fallow of centuries—sufficiently peopled to raise every variety of the produce we want, yet too thinly inhabited to threaten our own industry with any rivalry—watered in all directions by seas rather than rivers—studded with harbours through which to distribute its wealth over the Old World—and the native country of that wherewith the sect of practical politicians are best pleased, and their patron saint propitiated, gold and silver mines, already faithful, but capable of yielding infinitely larger returns under the management of European skill. Such is the prospect

which those vast regions unfold; a prospect sufficient to compensate every loss you have sustained; an adequate outlet for your mercantile enterprise, though Europe were once more hermetically sealed against you though Buonaparté were restored, and his continental system (as indeed it is) revived: even though Europe itself were, for commercial purposes, blotted from the map of the world. Nor let any man suppose, that all this is the indulgence of a heated fancy: I rest my expectations upon a careful examination of facts, derived from authority altogether unquestionable. Some of these I shall state, for the guidance of the hon. gentlemen opposite; because I well know, that some folks will listen to nothing which does not come in the shape of a detail.

The exports of Spanish America cannot amount to less than 18 millions sterling in yearly value. Humboldt, the justly celebrated traveller, states them at $13\frac{1}{2}$ millions, from the custom house returns in Old Spain: he reckons the exports of Buenos Ayres at 800,000*l.* of that sum, whereas, on the spot, they are reckoned at 1,150,000*l.*: we may therefore assume, that there is a similar deficiency in the other sums indicated by those documents, which would make the whole exportation worth 18 millions, and one third of it is from Mexico. It appears from official returns, indeed, that Cadiz imported from South America, in the year 1802, to the amount of $18\frac{1}{2}$ millions, of which $12\frac{1}{2}$ millions were in bullion, a trade pleasing even to the gentlemen opposite; though I must confess the remaining 6 millions were only composed of goods, and I therefore ought to mention this sum with considerable diffidence. Before the late troubles the annual coinage of Spanish America was $9\frac{1}{2}$ millions sterling, and it had trebled in half a century. The population of the country is about 17 millions, including all classes; and it is estimated, that only one person in three wears foreign manufactures. This is probably considerably above the truth; for of the seven millions, who inhabit Mexico, only one is understood to wear those goods; the rest using a wretched stuff of home manufacture, only recommended by its cheapness; for, according to the remark of a native writer, England is there held to have taught them by her wars how to make their own clothes. What an opening does such a country afford for our goods! There exists no want

of means to buy them, if the trade is so far facilitated as to afford them at reasonable prices; and if any proof were wanting how far the taste for using them might be introduced by opening the ports, the speculations at Buenos Ayres abundantly supplies it; for, though injurious to the projectors, that traffic has certainly had the effect of diffusing among the natives an inclination to use British manufactures. If the southern continent generally were opened, it would infallibly take, not only a larger quantity of them than has ever yet been sent thither, but a swiftly and regularly increasing quantity, which would in a short time leave the imagination behind that should try to calculate it.

With scenes such as these inviting our approach; with all the prepossessions of the natives in our favour; calling upon us to sacrifice no principle or propriety of conduct, but only to bless them with commerce and with the light of our superior civilization, in return for the treasures which they are ready to pour into our lap: whence comes it to pass, that, in a season of such pressure in all other quarters, this splendid theatre of exertion has been overlooked or avoided? It is the new-fangled, the execrable doctrine of *legitimacy*, the love of Ferdinand the Seventh, that has cut England off from her natural connection with South America. In the hour of our greatest need we have sacrificed the certainty of relief, nay the brightest prospects of new prosperity, to the antiquated prejudice against colonial independence, the political caprice of making common cause with the mother country in her endeavours to extinguish the new-born liberties of settlements, now, thank God, in spite of Old Spain and of ourselves, almost severed from her tyrannical dominion. But for these humours, so senselessly gratified, our flag might have floated in every part of that immense continent. We have chosen to be supplanted by a nearer power; a power as active and skilful in speculation as ourselves, and wholly free from the incumbrance of those political attachments and antipathies, which so lamentably fetter our commercial enterprise. Only see the course into which these doctrines, or prejudices, have driven us. In 1809 we concluded what is commonly termed Admiral Apodaca's Treaty, acknowledging the dominion of Spain over the Indies, in terms which seem even to imply a guarantee of her dominion. An article was added, which bound the par-

ties, as speedily as possible, to conclude a treaty of commerce; but nothing whatever has since been done towards the fulfilment of this stipulation. In 1814, after the conduct of Ferdinand had called forth, not certainly the applause of all enlightened minds in all countries, it pleased our government to make a convention with him, binding this country to every thing short of guarantee, and expressive of deep anxiety for the subjugation of those whom I call the independents, but whom the treaty stigmatised as revolted subjects of our dear ally. In vain have the various provinces of South America, successively, as they threw off the yoke of Spain, courted our notice, and offered us the highest commercial advantages in return. As often as the popular party obtained the advantage in any place, the ports were thrown open to our trade, the residence of Englishmen protected, all intercourse with them cherished. If ever the patriots were unhappily defeated, if the "anxious wishes" were gratified, which the convention expresses, on the part of this country, for the restoration of the legitimate tyranny, straightway the ports were shut against us, and our countrymen could no longer trade, or remain under the dominion of our favourite ally. We were offered by the revolted, as we call them, in Venezuela and New Grenada, an exclusive trade for twenty years; and their congress, believing (I use their own words), "that it is the characteristic disposition of Great Britain to protect and assist oppressed people, for the sake of justice and humanity," vainly fancied their cause might be favourably viewed by us. The legitimate lieutenant of the crown, Montalvo, subdued them for a while, and instantly proclaimed what he called "the wise and salutary regulations of the council of the Indies," recited the services rendered by the Philippine company to trade (of all things), and restored its exclusive monopoly, to be enforced with additional rigour. In 1816, general Bolivar made offers of the most advantageous nature, when on his way to battle for the independence of the Caraccas, which I trust in God he has before this time achieved. All such propositions were rejected; seldom honoured with an answer; always treated with contempt or aversion. We were for the party of the oppressor—we wished ill to freedom for its own sake, and out of the love we bore its enemy, notwithstanding the advantages we might reap

from doing our duty, and helping its struggles. But even this bad policy has been pursued in a wavering, irresolute, and inconsistent manner. We have sent a consul to Buenos Ayres, where he did not present his credentials until the patriots had succeeded; he now resides in his public capacity, transacting business with the independent government. But no one other commercial or diplomatic agent has been sent to any part of Spanish America; and even at Buenos Ayres the blockade imposed by the royalists of Monte Video, a few years ago, was enforced by a British man of war. The long-established contraband trade with the Main is still encouraged, at least protected, in Jamaica. In Trinidad every impediment is thrown in its way; the councils of the government are influenced by an assessor, who retired thither after the massacre of the independents in Caraccas, where he had been a principal adviser; proclamations are issued, prohibiting, under the highest penalties, the sending, not only of arms, but of money, to the continent; and severe measures have been adopted towards the refugees of the independent party. These measures have produced their natural effect; and I understand, that the principal articles of importation from the Spanish Main have almost doubled in price.

I intreat the House farther to recollect, that the same treaty, which bound our government to prevent all succour from being given to the patriots, bound Ferdinand to abolish the Slave Trade. We have more than performed our part of the compact—he neither has taken, nor has the slightest intention of taking, any one step towards fulfilling his part. I do not contend, that we ought to make war upon him for the failure; but I think we have some right to have it explained; and I am clear, that if he persists in his departure from the stipulation, we are set free from our part of the contract. That we should ever desire to recede from it is more than I can expect; for hitherto we have done much more than we bargained in his behalf and against the patriots. So bigoted are we to his cause, that I have read a memorial, presented to his majesty's government by three respectable merchants, who, having come to this country from Buenos Ayres upon commercial business, and having finished their arrangements, were ready to sail on their return homeward, when they were stopped by an or-

der from one of the under secretaries of state, refusing them leave to proceed, until they should also obtain the Spanish ambassador's leave! Here is one of the fruits of that blessed measure the Alien Act; and a striking proof how soundly those reasoned against it, who urged, that it would be used as a political engine for gratifying the caprices of foreign courts. The treaty, you will observe, only binds us to 'give no assistance to the patriots in warlike stores. The Trinidad proclamation threatens with banishment, confiscation, and imprisonment, all who shall send money. The direct stipulations only engage for neutrality: the preamble expresses the warmest good wishes for the success of the tyrant, while it insults the patriots with the name of revolters. But, as if we were resolved to go beyond both the spirit and the letter of this convention, to testify, by every possible means, our hostility to the cause of the Spanish colonies, and our anxiety to extinguish their rising liberties, the British minister to the United States has been charged, in congress, with a formal interference to prevent American citizens from sending arms and ammunition to the patriots; and no denial whatever has been given to the statement. I ask the Commons of England, if they are prepared to patronize councils, so repugnant at once to the character and the interests of their country as those which, having excluded our trade from the marts of the old world, deny it a vent in the new, for fear such an intercourse might aid the cause of human freedom, and give umbrage to the contemptible tyrant of Spain?

It has often been said, and I have hitherto assumed it as unquestionable, that the excessive load of taxation is one chief cause of the depression under which our commerce now labours. The House, I am persuaded, will give me credit for entertaining no disposition to mix this question with popular clamour against burthens which must be borne. But I wish to remove some misconceptions of an opposite nature, which have too frequently influenced such discussions; and to show in what manner relief might be given to the public without material injury to the revenue. Some persons, whose general opinions I profess to hold in great respect, have lately supported a position, which I take leave to think a mere fallacy; they have maintained, that the amount of the imposts laid upon goods, or upon what-

ever affects the price of goods, destined for the foreign market, can be no obstacle to their sale; and they attempt to prove this strange paradox by the consideration, that, as we are enabled to give a proportionably higher price for those commodities which we take in return, it comes to the same thing, whether the foreigner buys cheap or dear of us. A single word overthrows this reasoning at once. Admitting, for a moment, that prices are thus regulated; the foreigner who has goods to buy, will go to those who sell cheaper than we can do; and the foreigner who has goods to sell, will come to us who can give the best prices. To suppose, that those who cannot afford to sell as cheap as others, will have the power of regulating the market for their own commodities, is as absurd as to suppose, that those who can afford to buy dearer than others, will pay higher than is necessary. There is another fallacy, much more prevalent, as to the effects of taxation within the country. The money thus raised, we are told, is spent by the government; and the same consumption is maintained as if it were expended by the individuals who paid it. Thus, to take the principal example, it is contended, that if we raise 44 millions to pay the interest and charges of the debt, that sum is spent in the country by the stockholders, instead of being spent by the payers of taxes. But first of all it should be recollected, that those sums are levied in one part of the system, and generally expended in another; so that the expenditure affords no relief in the quarter where the levy of the impost was principally felt. Thus, when the duty on sugar was raised, in the course of a few years, from 14s. to 27s. a cwt., that sum was neither returned to the planter nor the consumer; it neither went to create a new demand for the article enhanced, nor to aid those who paid dearer for it: it went to support other industry than that of the grower, and other resources than those of the consumer.—Next we must bear in mind, that the revenue paid to the stockholder represents capital, which has been sunk and in great part destroyed by war: capital, which has been taken away from profitable to unprofitable employment. Nor is there any fairness in the argument, that the community is not injured by a mere transference of wealth, though none should disappear; for the taking from one class to bestow upon another, injures the one

more than it benefits the other, even if we had any right to strike such unjust balances; and how much more does this apply to the case of taking from an existing class, to supply one which we create, or at least augment, for the purpose of impoverishing the other! But the truth is, that all taxes go to support, either those whose labour is so much dead loss to the community; or much less productive than it might have been; whose numbers therefore ought never to exceed the lowest possible amount. The immense sums now raised, either feed those employed thus unproductively, or pay those whose capital has been spent in the same way; they are a constant drain upon the fund destined to support productive labour; they not only prevent accumulation, but create a destruction of capital; they necessarily diminish, in exact proportion to their enormous amount, the fund which creates the effective demand for all articles of consumption. The operation, too, of taxes, in driving abroad various branches of industry, is unquestionable. They give advantages to foreigners in many points of view. Take, for instance, our duties on silk. The raw pays 5s. 6d., the organized 15s. the pound; while in France there is but one duty on both, and that only 2s. 6d. The French silk weaver, then, gets the article, in the first stage of manufacture, for less than half what our's pays for the raw material, as far as duty is concerned. Sometimes foreigners are discontented by a tax beyond its mere amount; the increase of, I think, only half a crown upon the policy stamp, drove them away from Lloyd's, and created several insurance offices at Hamburgh and in America. Sometimes a branch of trade is irretrievably destroyed by an injudicious tax, or receives a shock from which, even after the repeal of the duty, it never recovers. I am informed, that this has been the case with the watch trade; and the present appearances are quite consistent with this supposition.

I purpose now to illustrate what I have said of the effects which taxation produces upon consumption, by a reference to facts; and I shall, at the same time, have an opportunity of showing that the revenue does not gain all the trade loses. On the contrary, I suspect we have been in many instances killing the goose that laid the golden eggs; and I greatly deceive myself if the right hon. gentleman opposite (the chancellor of the exchequer), will

not soon be aware, how much truth there is in Dean Swift's remark, that "in the arithmetic of the customs two and two do not always make four."

I shall begin with the duties on sugar, one of the widest fields of modern finance. They were in a short time raised from 14s. to 27s.; and if the price reaches 40s. then to 30s. the cwt. In three years, from 1803 to 1806, the former duties were increased about 50 per cent. Now the average produce of the old duties for three years before that rise was 2,778,000*l.* The produce of 1804, after they had been raised 20 per cent., was not 3,330,000*l.*, as they ought to have been had the consumption remained the same, but only 2,537,000*l.*; and the average produce of 1806 and 1807, after the whole 50 per cent, was added, only gave 3,133,000*l.*, instead of 4,167,000*l.* which they should have yielded had the consumption not fallen off since the first rise of duty began; or 3,805,000*l.* which they should have yielded, had there been no falling off since 1804. Thus both trade and revenue suffered by the great increase of duty in 1803; and trade suffered severely by the subsequent augmentations, while revenue gained in a very small proportion. The duties on glass were nearly doubled in ten years; the produce of those duties has not sensibly increased at all. Here, then is a destruction of the glass trade, to the amount of one half its whole bulk, without any direct gain to the revenue, and with a very certain loss to it in other branches connected with the diminished consumption. In this case two and two were not found to make four.

We have recently had before us the history of the wine trade, in a very excellent petition presented by my hon. friend below me (Mr. Sharp), and well illustrated in the course of his remarks. The duties on wine have been trebled since 1792; the deficiency in the port of London alone was 338,329*l.* last year, as compared with 1815. The average consumption of three years, ending 1814, was above 3,000 pipes less than the average of three years, ending 1808. In 1804 the duty on port wine was increased one ninth; the produce of the duty that year fell off nearly one fourth, instead of increasing a ninth; and in 1805 it had by no means increased a ninth above its amount before the rise. Here then was a diminution of trade, an abridgment of the comforts of the people, and an injury to the revenue, first directly and afterwards indirectly.

It is not so easy to illustrate by example the converse of the proposition; for, unhappily, the instances are rare in which taxes have been taken off or diminished: yet all the cases where this policy has been pursued demonstrate the truth of the doctrines for which I contend. When Mr. Pitt, by a wise and politic measure, in the year 1784, lowered the duty on tea from 56 to 12 per cent., the revenue rose considerably. The consumption could hardly have been increased six-fold, but smuggling was prevented to an extent which, with the increased consumption, made the revenue upon the whole a gainer. When in 1787 the duty on wine and spirits was lowered 50 per cent., the revenue was improved; the trade must therefore have doubled, the comforts of the people been materially increased, and the other sources of revenue have benefited in the same proportion. But the progress of the duties and revenue upon coffee illustrates every part of the question in a manner peculiarly striking. In 1805 they were raised one third, and that year their produce fell off an eighth, instead of increasing a third; in 1806 they had increased but only a sixteenth; so that the consumption had diminished above a fourth. But it was at length found, that this tax had been overdone, and it was lowered from 2s. to 7d. the cwt. Mark the immediate effects of this step. The average produce of the high duty, for the three years before it was altered, was 166,000*l.*; the average of the low duty for three years after the alteration, was 195,000*l.*: so that, as addition has the effect sometimes of diminishing, subtraction seems to increase the sum, in the arithmetic of finance. The augmentation here showed an increase of consumption between four and fivefold; and in Scotland, I find, that it increased tenfold. It is not, then, on mere speculative grounds that I recommend the finance ministers to retrace their steps, and to turn their attention from devising ways of augmenting the taxes (an object, by the by, which they may pore over as long as they please, and will never be able to accomplish) to discover the best means of lessening the public burthens. I have shown from facts, that taxes may be repealed with positive and immediate benefit to the revenue; I think no man hardy enough to deny, that the diminution would contribute mainly towards restoring our commerce to its healthy state, and re-establishing general comfort and prosperity.

The very collection of our present enormous revenue occasions evils of a serious nature to every class of the people. All of us are acquainted with the inconveniences of ordinary occurrence; but few are aware how severely they press upon trade. To the difficulties of collecting such a revenue are principally owing the monopolies of the dock companies, by which the whole of the West Indian commerce, and several of the other great branches of trade are subjected to heavy duties, and irksome delays. Our merchants complain of much dilatory and troublesome proceeding at the custom-house; they must wait for a person who has more to do than he can manage; they must, on every trifling difference, apply to the board; a variety of annoying steps must be gone through; bonds with all the costs, incident to them are needlessly multiplied; and, in short, every thing begins in plague and ends in expense. It is very true, that better arrangement might remove some portion of these hardships, but the greater part of them are essential to the system. You cannot multiply indefinitely officers and boards, in whom so large a confidence is of necessity reposed; you cannot, in a word, collect such a revenue as ours without infinite vexation and delay, beyond the actual burthen of the impost. Such prodigious levies, with their direct effects, hamper and distress our trade in various ways, which it would be impossible to estimate in money.

Sir, I have trespassed beyond all bounds, I fear, upon the patience of the House; but I cannot prevail on myself to sit down without soliciting your attention to that part of the subject which I have as yet only glanced at slightly. The House, I doubt not, have already perceived that I refer to the entire abandonment of all care for the commercial interests of this country in the administration of our foreign affairs. After a war of unexampled suffering and exertion has been crowned with success far beyond the most sanguine expectation, and lifted the name and the influence of the nation to a height without any parallel in the proudest eras of its past history, we naturally ask, how it comes to pass, that the glorious peace which our efforts have purchased comes without restoring our foreign trade; that we are still shut out from most parts of the continent, as if war was still waged against our commerce; and that, day after day, fresh obstacles spring up to it in the quarters

where it ought to meet the kindest encouragement? It is not in France merely, where we have long been accustomed to expect a return of jealousy, that our intercourse enjoys no facilities. In what corner of Europe does it possess them? Is it not plain, that with those very allies for whom we have fought and conquered—for whose cause we have been lavish of our treasure and prodigal of our best blood—from whom neither dominion nor indemnity have ever been asked in return—even with those allies we have never had influence enough to obtain the advantage or the convenience of one single custom-house regulation in our favour? Has any thing been done by these men, with all their influence over the councils of Europe? Has any thing been attempted by them? I am aware, that Russia has reduced her tariff in many articles since the termination of the war; but I also know, that, generally speaking, our commerce labours under duties so nearly amounting to a prohibition, as to throw it into the hands of contraband traders, and exclude the fair and honourable dealing of the British merchant. I know, that, from Memel to the southernmost part of Poland, along the whole line of the Russian frontier, the traffic is driven by means of Jews and other smugglers, as it used to be under Buonaparte's continental system: that now, as formerly, they have their great entrepôt at Brody, and were the purchasers of almost all the bills drawn last summer for the sales of wheat exported through Odessa to the Mediterranean. Russia, however, is more favourable to our commerce than any of our other allies, and some improvement might be hoped for in that quarter, were we not exactly in that quarter met most adversely by the other branch of our policy, of which I have already said so much, the prohibitory scheme of our own laws, by which we are prevented from taking in exchange most of the articles of Russian produce. But Prussia, with whom we made common cause—who owes to our efforts, next to those of her gallant people, the restoration of her independence—almost directly excludes us from all intercourse with her dominions. Duties amounting to a prohibition are laid upon the importation of our goods: and for such as are carried through the territory to be sold elsewhere there are only two ports of landing assigned, and a transit payment of $8\frac{1}{2}$ per cent. imposed. How then does the matter stand

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in Spain—in that country which our gigantic exertions have saved—whose defence, in money alone, beside subsidies, and beside expenses incurred elsewhere, has left a sum of accounts still unaudited, amounting, as we heard the other day, to above fifty millions? Why, in return for this it appears, that with the cabinet of Madrid we possess just no interest whatsoever, either commercial or political! This is a picture of ingratitude on the one hand, and imbecility on the other, disgusting as it regards Spain—humiliating to our own government—provoking to the country.

The sense of the Spanish nation was, with more or less correctness, represented by the Cortes: while its authority continued, a free intercourse with us was studiously promoted. The Cortes was put down, freedom extinguished, and the beloved usurper restored. Instantly old monopolies were revived and enforced, and enlarged with new powers, all strictly hostile to British interests. Additional obstruction was given to our trade, notwithstanding Apodaca's treaty had, on our part, almost guaranteed the integrity of the Spanish dominions, and, on theirs, promised a speedy commercial arrangement. Nay, after our ministers had, in support of Ferdinand, gone farther than was lawful for the rulers of a free and honourable nation like England; after they had been guilty of the most indecent subserviency to his criminal views, abandoned the high tone they used to assume with France while fighting his battle, looked on with perfect indifference at his iniquities, stooped to become the parasites of his caprices and pander for him the degradation of his country and the slavery of his unfortunate subjects, our own gallant companions in arms—how were they requited for those labours in the humiliation of the English name?—In “a little month” after the signature of the second treaty, an edict was issued, extending the monopoly of the Philippine company, so as to exclude all British cottons; and we had hardly sent out the order of the garter to our ally, when, in return of the courtesy, this decree was backed and enforced by new regulations: and the commercial privileges of Biscay, so favourable to all foreign trade, were, by an act of mere violence upon its ancient constitution, annulled! Beside the rigorous prohibition of cottons, woollens pay 26 and 43 per cent. for the two finer qualities, and as high as

130 for the second, a burthen which the fair trader cannot bear. It thus happens, that our commerce with Spain is in a worse condition than with almost any other foreign state, and consigned, in a very great measure, to contraband traders. Not fifteen parts in the hundred of our goods consumed in that country are calculated to pay the duties imposed; the remaining seventy-five parts are smuggled; and about 200,000*l.* are paid yearly to Portugal for duties upon the goods sent thither in order to be covertly introduced into Spain.

If we turn our attention to Austria, again we meet with nothing but prohibition. Since the peace, which we fought for side by side with her, and conquered more for her than ourselves, she has either excluded, or loaded almost to the point of exclusion, all the articles in which we can trade with her fine dominions. Our manufactures generally are forbidden; so are cotton yarns below a certain fineness; and it is not much above half a year since the duties upon all finer yarns were suddenly doubled. It should seem as if, from all our exertions to serve the continental powers, whether looking after honour or profit, we were fated to reap nothing but loss and disgrace.

I would now call the attention of the noble lord in the blue ribbon (lord Castlereagh) to some things, which, though within his department, it is very possible he may not be aware of; because it is quite possible, that those military gentlemen, whom he has planted as ministers and consuls in different places, how skilled soever in their own profession, may have failed to make any reports upon commercial arrangements, as things very much out of their line, if not below their notice. Does the noble lord now hear, for the first time, and if he does I am sure it should make a deep impression on his mind, that punishment has so swiftly followed guilt? Does he for the first time hear, that the fruits have already been gathered of the two worst acts in that system of wicked policy, of which the noble lord is the advocate in this House, as he was the adviser elsewhere—that the very persons, in whose behalf those deeds were done, have even now set themselves in direct hostility to the interests of this country. If he has not before heard this, it may prove a useful lesson to him, and at all events I trust it will not be thrown away upon public men generally, if I make known how those

very individuals, for whose sake the noble lord sacrificed the honour of his country, and abandoned its soundest policy towards foreign states; those with whom, after pulling down the usurper, he plunged into the deepest of all the public crimes that stained his course, and gave the ground for resisting him—that they now execrate or condemn the man who made himself the accomplice of their infamous projects? I suspect the noble lord's conscience already whispers to what I allude. I guess he is aware, that I am going to name Ragusa and Genoa—Ragusa and Genoa! where the name of England received a stain, that all the victories of lord Wellington cannot wipe away, nor the services of the longest life of the greatest minister that ever lived could atone for. I will speak of Ragusa first: it is the smaller state, and for that reason I dwell upon it the most; because, if there be such a thing as political morality, and political justice—if those words have any sense—they can only mean, that the rights and the liberties of the weaker states are to be protected by the more powerful; because, in the nature of things, public crime, the offence of one nation against another, must always consist of the strong trampling down the feeble. Therefore, if the spot in question were San Marino instead of Ragusa, I should the rather cite the example, and deem the oppression of that smaller community a still more flagrant outrage upon justice—a baser dereliction of public principle. Ragusa had flourished for centuries under the protection of the Ottoman Porte, and nominally, at least, under its dominion. The Porte was the ally of England. Often had we blazoned Buonaparté's attack upon Egypt as among the worst of his atrocities, because France was in amity with the Turk, and there could be no motive for the enterprise but the love of gain or the lust of power. Nay, his sending Sebastiani to Egypt after the peace of Amiens was one of the principal grounds alleged by us for so suddenly renewing the war. Then I demand, were we at war with the Ottoman Porte during the black transactions of Vienna? Were we not in friendship and alliance with it? Did we once consult it about the cession of Ragusa to Austria? What is more important, did we ever consult the Ragusans upon that cession? Have we not, without the least regard to the rights of a free people, parcelled out their country at our own dis-

cretion; and from the liberty they were enjoying and the independence they were proud of, delivered them over to what they deemed subjugation and tyranny? Had they, the Ragusans, the people of Ragusa, the smallest share in the deliberations of the famous congress? They had no minister there—they had made no communication to the assembled negotiators—they had received none from thence. Their existence was hardly known, except by the gallant example they had set of shaking off, without any aid, the hated empire of France. And how did we requite them for this noble effort, nay, this brilliant service in what we cantingly termed “the common cause of nations?” We, who had sounded to the uttermost corners of the earth the alarum of Buonaparté’s ambition—we, who, in the name of freedom and independence, had called on the people of the whole globe, and on the Ragusans among the rest, and they at least had answered the summons, to rise up against him and overthrow his usurped dominion—we requited them by handing them over, in the way of barter, as slaves to a power of which they detested the yoke! But let the noble lord, and let this House, and let the world mark the retribution which has followed this flagitious act. Austria, extending her commercial regulations to all her new acquisitions, has absolutely shut our trade out of that very Ragusa, which we had betrayed into her hands; and thus has the noble lord received his punishment upon the spot on which he had so shamefully sacrificed the honour of his country!

Sir, if any page in the history of the late congress be blacker than another, it is that which records the deeds of the noble lord against Genoa. When I approach this subject, and reflect on the powerful oratory, the force of argument as well as of language, backed by the high authority of virtue, a sanction ever deeply felt in this House, once displayed in the cause of that ill-fated republic, by tongues now silent, but which used to be ever eloquent where public justice was to be asserted or useful truth fearlessly inculcated, I feel hardly capable of going on. My lasting sorrow for the loss we have sustained is made deeper by the regret, that those lamented friends * live not to witness

the punishment of that foul conduct which they solemnly denounced. The petty tyrant, to whom the noble lord delivered over that ancient and gallant people almost as soon as they had at his call joined the standard of national independence, has since subjected them to the most rigorous provisions of his absurd code; a code directed especially against the commerce of this country, and actually less unfavourable to France.

Thus, then, it appears, that after all, in public as well as in private, in state affairs as in the concerns of the most humble individuals, the old maxim cannot safely be forgotten, that “honesty is the best policy.” In vain did the noble lord flatter himself, that his subserviency to the unrighteous system of the congress would secure him the adherence of the courts whom he made his idols. If he had abandoned that false, foreign system—if he had acted upon the principles of the nation whom he represented, and stood forward as the advocate of the rights of the people—the people would have been grateful. He preferred the interests and the wishes of the courts, and by the courts he is treated with their wonted neglect. To his crimes against the people all over Europe—to his invariable surrender of their cause—to his steady refusal of the protection, which they had a right to expect, and which they did expect from the manly and generous character of England—it is owing, that if, at this moment, you traverse the continent in any direction whatever, you may trace the noble lord’s career in the curses of the nations whom he has betrayed, and the mockery of the courts who have inveigled him to be their dupe. It is in vain we attempt to deceive ourselves. No truth can be more evident than this, that if, instead of patronizing abuse, tyranny, and plunder, we had exhibited a noble, gallant, English spirit in behalf of popular rights and national independence—if, instead of chiming in with and aping their narrow, wretched principles, we had done our utmost to enlighten the policy of foreign courts—we should have had to treat with a number of constitutional governments, directed by sound views of policy, and disposed to adopt arrangements generally beneficial, instead of the capricious and spiteful regulations, which now annoy us in every quarter.

Only compare the conduct of America towards us with that of the king of Sardinia, of the Austrian emperor, of Ferdi-

* Messrs. Whitbread and Horner, in the debate upon Mr. Lambton’s motion. See Vol. 29, p. p. 944 and 950.

nand of Spain. From America we had no right to expect peculiar favour. Her struggle for independence we had treated as a rebellion. It was successful; and we never altogether forgave it, but entertained towards her, feelings approaching sometimes to contempt, sometimes to hatred. I am very far from thinking the Americans untainted by similar prejudices. They have perhaps been foolish enough to cherish a little spite in return for ours. Nor do I give their government credit for being wholly above the influence of this animosity; but experience has shown, that, in all popular governments, the true interests of the community must in the main be consulted, and in the great bulk of cases supersede every lesser consideration. Now we can never, as a trading nation, desire more than that all other countries should adopt the line of commercial policy best suited to the interests of the body of the people in each. The American government has, not from regard for us, but for the sake of its own subjects, pursued a course favourable to the mutual intercourse of the two states. It is allowing the manufacturies created by our absurd system gradually to decline, because industry can there be more beneficially employed in other pursuits. With a few very trifling exceptions, the market of the United States will, in a few months, again be completely restored to us, as far as the competition of the American manufacture is concerned, and it is plainly the only considerable relief which we can expect for a long time to come. In France we might have obtained something like the same advantages. There was a time when the feelings of the people ran strongly in our favour; but instead of cultivating such dispositions, we have adopted a policy destructive of every kindly impression, and calculated to alienate the affections of all who retain the slightest regard for national honour. I may appeal to any one who has been in France since the war, I will even ask the gentlemen opposite, if they have not observed a most intimate connexion between the commercial and the political prejudices, which now prevail against us. Talk to them of a commercial treaty, or generally of trade with us, and their answer is, nor can we marvel at it "While you keep 130,000 men in arms quartered upon our territory, we will not treat with you at all. While you rule us with a rod of iron, you shall get no gold from us by trading.

While you exact tribute directly at the point of the bayonet, you must not hope to obtain it circuitously through the channels of traffic." These feelings are not peculiar to France; depend upon it, as long as the same fatal policy is pursued, British commerce will be excluded from the continent—excluded more effectually than by Buonaparté's decrees and his armies, because now, for the first time, its ports are sealed against us by the governments, with the cordial assent of the people.

I hope and trust, that this country may, before it is too late, retrace the steps, which it has been taking towards destruction, under the guidance of the noble lord. I pray that we may live to see England once more holding her steady course in the direction of a liberal, a manly, an honest, an English policy. May the salutary change be wrought, because our honour and fame demand it; but, if no higher considerations can influence our councils—if all worthier motives have lost their force—may we at the least consult our safety; adhere to that which is right, because it is shown to be beneficial; and abandon the path of dishonour, because it is leading us to ruin.—I move you, Sir, to resolve:—

1. "That the trade and manufactures of the country are reduced to a state of such unexampled difficulty as demands the most serious attention of this House.

2. "That those difficulties are materially increased by the policy pursued with respect to our foreign commerce, and that a revision of this system ought forthwith to be undertaken by the House.

3. "That the continuance of these difficulties is in a great degree owing to the severe pressure of taxation under which the country labours, and which ought, by every practicable means, to be lightened.

4. "That the system of foreign policy pursued by his majesty's ministers has not been such as to obtain for the people of this country those commercial advantages, which the influence of Great Britain in foreign courts fairly entitled them to expect."

The first Resolution being put,

The Hon. *Frederick Robinson* said, when he recollected the powerful and temperate speech addressed to the House by the hon. and learned gentleman last year on a subject intimately connected with the present, he came to the House that evening with a conviction on his mind, that the

hon. and learned gentleman would pursue a similar course of moderation and candour on this occasion. During the greatest part of his speech, indeed, these hopes were not disappointed; for he was ready to admit that with respect to those parts of his speech which were practical, his expectations had not been disappointed; and it was really with unfeigned surprise that he had heard the latter part of the speech, in which the hon. and learned gentleman converted the whole of the topics on which he had enlarged into an instrument of crimination against his majesty's ministers. If the object of the hon. and learned gentleman had been to induce the House to look the difficulties of the country fairly in the face, he did not think that he would have adopted the course which he had done; for it was impossible to enter on a discussion with that dispassionate calmness and impartiality which the subject required, if subjects were mixed up with it by the hon. and learned gentleman, which could not fail to call forth the most opposite feelings from the different sides of the House. But though he lamented the course which the hon. and learned gentleman had taken, he did not feel himself called on to enter into those extraneous topics, the introduction of which he considered so extremely objectionable. All the points of the subject matter of the crimination of the hon. and learned gentleman against his majesty's ministers had already been decided by votes of the House, though these votes might not be convincing to the hon. and learned gentleman and those who acted with him. It was sufficient, however, that the subjects had been already decided by the House not to mix them up with the points which bore properly on the present question: and therefore he would not trouble the House with any observations on that part of the hon. and learned gentleman's speech. With respect to the other parts of that speech, it would be presumption in him to suppose that it was possible for him to follow the hon. and learned gentleman throughout the vast variety of interesting statements and details into which he entered. With much of what had fallen from the hon. and learned gentleman he entirely concurred. Many of the observations respecting the foreign commerce of the country—respecting the prohibitory system adopted by this country towards other countries—had his entire concurrence. But he felt more than the hon. and learned gentleman

seemed to do, the infinite difficulty which there was in extricating ourselves from that system. The question was not now whether it was right or wrong to introduce the system, or whether the ministers of a century ago were to be blamed who had got us into that system, but whether we could, without infinite danger, escape from it, now that we were so deeply entangled in it? In all the communications which he had had with persons engaged in trade, he had never heard the general principle denied, but he never could get the individual to allow that the general principle ought to be applied to his case. He admitted with the hon. and learned gentleman, that it was true, in a considerable degree, that the prohibitory system operated to produce the present distress of the country. It operated to produce that distress, because it prevented the beneficial effects of commercial arrangements with foreign powers. But the hon. and learned gentleman argued, that after the conclusion of the war, for the successful prosecution of which we had advanced such vast supplies, we ought to have made some sort of condition with the various nations of the continent favourable to our commerce and manufactures. But he would venture to say, that no concessions extorted from foreign powers in that manner could possibly be lasting. Good God! were the nations on the continent so unlike ourselves; that they would allow themselves to be treated in that manner? Take Holland, for instance, which had benefited the most from our exertions by her extension of territory. Did the hon. and learned gentleman imagine that Holland and the Netherlands would remain quiet under an arrangement exclusively beneficial to us? It was hopeless to expect such concessions, unless we could induce the manufacturers of this country to consent to our giving the same facilities to foreign states which they gave to us.—If we failed in that, the extorting of concessions from others would only lead to heart burnings and jealousies, which would soon defeat the hopes of advantage that we might promise to ourselves from the arrangement. It was to be recollected also with regard to those powers to whom we gave assistance, that they were not fighting for a cause exclusively their own, but for a common cause; and if we had made the assistance dependent on concessions to our trade, we should have been no longer acting a disinterested part—no longer able to hold the tone we were enabled to hold and

we should have laid ourselves open to reproaches far from honourable to us as a nation.

With regard to France, the case would have been still worse. The effect of the war, with regard to France, had been to reduce her purse, to humble her pride, to strip her of the emblems of glory which she had derived from the surrounding territories; and if, besides that humiliation, we had insisted on commercial advantages from that country, what hope was there, that the people of France would ever have borne with this usage. Had we adopted the policy recommended by the hon. and learned gentleman, that policy could not have held—sooner or later we should have been driven from it. It was not possible to avail ourselves of our former beneficial treaties. He was convinced, from the rooted prejudices in this country, against any facilities being given to foreign powers, in disposing of their manufactures in this country, that every proposition of that nature would be overcome by the hostility of the great mass of the manufacturers. Whether commercial treaties were beneficial or not, he would not say—the question was one which was open to great doubt—but this he was sure of, that they never could be beneficial where the advantages were not reciprocal. He agreed with the hon. and learned gentleman as to the bad effects on our own commerce of our restrictive policy. But the hon. and learned gentleman was not aware of all the difficulties in which the subject was involved. With regard to the corn bill, he agreed with him that it stood by itself—that its overwhelming necessity set all general principle at defiance. He stated this, that the hon. and learned gentleman might reflect, if he found that one subject was entitled to an exemption from the operation of his principle, there could be no wonder that others should also claim their exceptions—he would find exceptions claimed by many of his friends beside him. The hon. member for Essex (whose indisposition unfortunately prevented his attendance that night) wished that the exception with regard to corn should be extended to every article of agricultural produce.—With respect to two of the articles, hides and tallow, had that hon. member succeeded in obtaining the imposition of prohibitory duties on them, there would have been an utter end of the magnificent prospects opened by the hon. and learned gentleman in South America, as those

were the chief articles by which the inhabitants of South America were enabled to pay for our manufactures.

With regard to the distresses of the country, he did not wish to represent them otherwise than they really were—he knew them to be very great, and it was not likely that he should be insensible to them; but he did not go so far as the hon. and learned gentleman in thinking that so little of them was to be considered as temporary; and in this he was a good deal borne out by what the hon. and learned gentleman himself had said last year in his speech on the agricultural question; for the hon. and learned gentleman had expressly said, that the transition from war to peace was a cause of considerable distress. With respect to the woollen and iron trade, for instance, it was impossible that the cessation of war should not strike a very heavy blow on those manufacturers.—But the hon. and learned gentleman had endeavoured to weaken to night what he had then asserted, by declaring that the temporary distress must be considered as now blown over—that this was the third year of peace, and that the temporary difficulties, occasioned by the cessation of former wars had been repaired in a much shorter space of time. But the hon. and learned gentleman had forgotten that though this might be said to be the third year of peace, yet that several months of 1815 were occupied in war, and preparations for war—and that the greatest expenditure which this country ever had made, was made in 1815—and the most extensive efforts ever made by this country were made in that year. It was impossible that the recovery from the effects of the war should be so rapid as in the case of former wars; first, from its longer duration; secondly, from its enormous expense; and lastly, from its having called into operation a much greater extent of the population and capital of the country; and then suddenly withdrawing the demand which called that population and capital into operation. From all these circumstances the distress was much more likely to be of longer duration. Now let it not be supposed he was so absurd as to argue that a transition from war to peace was not the happiest thing which could befall this country. His argument was against war, seeing the unnatural prosperity to which it gave rise. The revulsion from the cessation of that unnatural prosperity occasioned by the war, was the most

powerful of all arguments against war. And holding that opinion, he could not help considering that it would be most unwise to act on the principle of the hon. and learned gentleman, with regard to South America; for we could not act on that principle without risking another war; and if once we got into war with Spain, or any other power, there was no saying to what extent that war might ultimately spread. The conduct pursued by France in the course of the hostilities between us and our colonies, would not justify us in imitating that conduct in the dissensions between Spain and her colonies. The declaration of war on the part of France, during the American war excited a very general indignation among all classes in this country; even Mr. Fox and Mr. Burke, who opposed the American war on what he (Mr. Robinson) conceived to be wise principles, loudly reprobated the interference of France at that period. How then, would it be less unjust and wise for us at this period to interfere in the dissensions between Spain and her colonies? The hon. and learned gentleman was fond of imputing to the government of this country a love of tyranny, the flattering of unworthy courts, and every base disposition; he was most ready to impute the worst motives to his majesty's ministers; but his readiness in imputing such motives was no reason why the House should adopt his opinions.

He should now advert to a few of the statements made by the hon. and learned gentleman with respect to the distress of the country, as well as his recollection would enable him. The hon. and learned gentleman had endeavoured to heighten a most melancholy picture of that state, by expatiating on the condition of the miners and manufacturers of iron in Staffordshire. It was indeed true that great distress did exist among the iron manufacturers of that county; but, in one branch, that of the armourers, it was easy to account for that distress from the cessation of demand for one great article, which, but for war, never would have been manufactured to the same extent. It was the inevitable consequence of peace, therefore, that that branch should fall. As far as that went, the evil certainly was not temporary, and nothing but a new war could put an end to it. With respect to another article of miner importance, the watch trade, he really did not see how it was possible for the House to effect any

improvement in that trade. There was a great facility in smuggling foreign watches into the country, from their being, as he understood, not only much cheaper, but in some respects better than our own. During the war the intercourse was less, and of consequence the smuggling also less. They were now brought into the country, not by common smugglers, but by ladies and gentlemen coming from France. With respect to the tailors, of whom 2,000 were said to be out of employ, this no doubt, in a great measure, arose from a cessation of the army demand. But how could this be remedied? That the want of employment of tailors was, however, a proof of the distresses of the times, he was ready to admit; for if men had more money, they would naturally buy more coats with it. The hon. and learned gentleman had adverted to another branch of our trade, and commented with great force on the system pursued by this country with regard to timber. Though he did not go so far as the hon. and learned gentleman with regard to that subject, yet he concurred in a great measure with him upon it; but he wished the hon. and learned gentleman only knew the difficulties with which any person must have to struggle who attempted to make any change in the system. The persons concerned considered their interest as absolutely bound up in the maintenance of the system; and he believed if all the interest of the government were employed with the view of overturning the system, it would be impossible for them to succeed. He had adverted also to another subject, the system pursued with regard to iron, by which foreign iron was prevented from coming here; but he believed that any attempts to introduce any alteration in that respect would be equally unsuccessful. With respect to another article, foreign linen, he recollected that he (Mr. Robinson) had been burnt in effigy in half the towns in the north of Ireland at the time when he endeavoured to take off the duty on that article. It was only last year that the hon. member for Glasgow proposed a committee for taking that subject into consideration, but the House would not grant the committee. He stated those things to show the difficulty there was in bringing all parties concerned to adopt one common principle. The hon. and learned gentleman asked why there was such a heavy export duty on coals? Why not take that duty off and warm half the peo-

ple of Europe? But if the hon. and learned gentleman were to come to the House with any proposition to this effect, he would immediately have the half of the manufacturers of the country in arms against him. Only last year he had proposed to take off the export duty on small coals. Immediately the manufacturers of glass came forward and said this measure would be enabling foreign manufacturers of the article to undersell and ruin them. He who thought that taking off the duty would enable us to sell our coals over Europe, forgot that in France and in Holland there was a high import duty, for the sake of protecting their own coal mines. The import duty in Holland was as high as our export duty here. The effect, therefore, of taking off that export duty would be, not to put money into our own treasury, but into that of the Dutch treasury in Holland. France also had calculated pretty much on our export duty. It was evident from this that they did not wish to encourage the importation of coals from this country.—The hon. and learned gentleman had entertained much too sanguine views on this subject. What he (Mr. Robinson) now said, he did not consider at all inconsistent with the principle laid down by him, of wishing that we had never entered into the restrictive system, and thinking that it would be advantageous if we could break through it. Any person, however, who thought that the foreign commerce of this country could ever again be placed on the footing in which it was for several years, would be very much disappointed. We had been in possession of most of the valuable colonies, and from them we had supplied the nations with the produce of these colonies, which, to every people were almost necessities of life. If we looked to our accounts of exports, we should find that a great part of the diminution in our exports was in colonial produce. The exportation of sugar, coffee, &c. in some years, had amounted to more than eight millions. When the House recollected that so many colonies had been given up, and among others, the magnificent colony of Java to the Dutch, they must be aware that the articles, the produce of those colonies, would never again find their way to the continent through this country. The cessation of war must sooner or later establish manufactures on the continent of Europe. What was there to prevent it? The people of the continent had capital, skill, and

industry—there was nothing mysterious in the machinery. At present we might be somewhat better at constructing the machinery, and have more skill in working it; but if peace should last, and God grant it might! he did not see what there was to prevent the people of the continent from rivalling us, if not in countries where no manufactures were established, at least in their own countries. France had paid great attention to her cotton manufactures; already she employed hundreds and thousands in the manufacture of the best cloths and silks. What was there to prevent her also manufacturing cottons? So it was with Saxony, and several other parts of Germany—so it was with Switzerland—and so it would be in every country possessed of capital and industry.

He felt that he had troubled the House long enough with these details, so he should now close his observations. If the hon. and learned gentleman had concluded his speech in the way he began it, it was impossible that he could have met it with so decided an opinion as that which he was now forced to come to upon it. He had hoped and wished that the hon. and learned gentleman would bring the subject before the House in a way that would allow of some practical conclusion. From that course the hon. and learned gentleman had departed—he had given a different character to his motion—he therefore could not possibly agree to it, and he should in consequence move the other orders of the day.

Mr. Brougham begged to explain, that in what he had said of the watch trade and unemployed tailors, he meant merely to advert to them as developing some of the general symptoms of the prevailing distress.

Mr. Baring said, that if the right hon. gentleman opposite was surprised at the conclusion of the able and eloquent speech of his hon. and learned friend, he could also assure him, that he was in no small degree surprised and astonished at the manner in which he had terminated the able speech he had just delivered.—The House could not certainly go along with the right hon. gentleman in his conclusion, who, after admitting the prevailing distress and want of trade that had become so general of late, could yet from the mere casual circumstance of an alteration in his hon. and learned friend's temper, overlook great leading points of admitted radical necessity, and pass to the

other orders of the day to get rid of the whole discussion.—The right hon. gentleman had not only not refuted what had fallen from his hon. and learned friend, but he had actually confirmed by his testimony some of the leading and essential parts of the opening statement—and notwithstanding this he would throw aside the material decline of the iron, foreign linen, and other trades, merely on account of the manner in which his hon. and learned friend had treated the affairs of Ragusa and Genoa—He (Mr. Baring) could not come to such a conclusion as that, with these sentiments he should call for the other orders of the day. The right hon. gentleman had indeed alluded to certain difficulties in which, as vice-president of the board of trade, he had been placed. He had said, that he was so beset by the intercessions of one interested party or another, that he really knew not how to act between them. Now, to his conception, this, so far from being an argument for passing to the other orders of the day, should rather operate as an inducement to the right hon. gentleman to come down to parliament, and call for its full advice and decision to relieve him from these interested importunities. In one part of the statement of his hon. and learned friend, he did not certainly acquiesce—he alluded to the subject of machinery on which his friend intimated an opinion that might be construed to the injury of the setters up of machinery. Now he was convinced his hon. friend could not have meant to convey such a reflection. He (Mr. Baring) was free to confess he should have wished that a great deal of this machinery never had existence. He would have certainly preferred to see each cottage-door with its spinning wheel, as was formerly the case. The question, however, was not whether this sort of machinery should be introduced, but whether, being in existence, its use should be rejected. In the progress of arts it had found its way through the process of human invention, and it was quite impossible to counteract its advance towards perfection. The consequence of rejecting it now, would be only to transplant it to the other side of the coast, where it would effect a permanent injury to our home trade.—It was thus that the deluded people at Nottingham destroyed frame works, rendered insecure the property of the manufacturer, and, in some instances, drove him with his capital from the place, where, had he remained, they

must have derived a benefit from his residence.—The question, he would then repeat, was no longer whether machinery should be used, but whether this country or the continent should have the greater benefit from it. The general state of the commerce of the country appeared in a situation (setting aside the bad state of laws and regulations which the right hon. gentleman admitted, but could not remedy as he ought) the same in kind as that which followed the close of every former war in which the country had been engaged. The description of the state of England after the peace of 1762, in one of Dr. Franklin's letters recently published, would, word for word, apply to the distresses under which it at present laboured. The present state, however, was greatly aggravated in comparison with the former by the longer and more expensive character of the war from which the country had been just disengaged, and by an additional cause which had no existence at any former period, but which now, operated in an enormous degree—he meant the state of the paper circulation—and its return to something like a sign of metallic currency. This was now bitterly felt though the right hon. the chancellor of the exchequer not very long ago, was able to persuade the House into a declaration that paper and gold were equivalent in value, and this at a time when they stood towards each other at a discount of 30 per cent.—The effect of the fluctuation of this paper currency was at length bitterly felt. As it approached to what commercial men called a par, and immediately fell in value, and every thing suffered a depreciation. The peculiar character of the present times was, that the distress pervaded all ranks. Commercial property (the reduction in which was, from its nature, more of a private and concealed character) had, to his own knowledge, fallen immensely within the last two or three years, and had thus partaken of the universal calamity. The time had arrived when it became the duty of the legislature to interpose; more especially as ministers avowed their intention of attempting nothing for the relief of the country.—On the general question involving the applicability of commercial treaties to the welfare of particular states, he was certainly not very decided. He generally agreed with the right hon. gentleman, that to possess the character of durability, they must be founded on a reciprocity of interest; and

that nothing would savour more of silly cunning and useless craft than any attempt to impose upon one party, while under the influence of a particular restraint a condition which was only productive (or unequally so) to the interest of another—it would be like the mean and suspicious cunning of little minds in private transactions, who were generally found to overreach themselves. In giving this opinion however, as to putting trade into an artificial state, he did not hesitate to say, that if the object of the treaty were to remove a manifest impediment to commerce then, indeed, its enactment would be salutary, for it would be in conformity with the old maxim in every body's mouth, but by none practised. "That the soul of trade was freedom, and a removal from impediment." This ought to be the only true basis of a commercial treaty. As to the funds, their present high price evidently arose from the want of a sufficient employment for capital in the general business of the country. A great borrower (the government) had suddenly gone out of the market, and the price of the funds had augmented in proportion. Capital was withdrawn in a great degree from landed speculation, and deposited in the funds. This disposal of money was, in a great degree, induced by the impolitic laws regulating the interest of money.—This should be free and open, and matter of private arrangement. This year might not perhaps be the exact period for introducing an alteration in those laws, but whenever the subject came forward it should receive his support—Were there no restraint in money matters in the regular market, money would be obtained on mortgage at 5s. 5 $\frac{1}{4}$ or 5 $\frac{1}{2}$ per cent. instead of the land-holders being driven into the fangs of Jew moneylenders, who extorted (and mostly on landed revenue) thirteen per cent. and upwards from thoughtless or dissipated individuals, thus dipping still more that estate which was already encumbered. The great evil of the laws regulating interest was, that the government stood exempted from their operation, and borrowed at a great usurious interest on terms which it disallowed to all others. The law, as it at present stood, produced not a single benefit, and was the real source of considerable distress. He trusted that the House would agree to the motion, in order to convince the country that it was not altogether forgetful of its duty, however negligent ministers might be of theirs.

Mr. Rose contended, that the hon. and learned mover of the resolutions had made out no case on which the House could possibly accede to his resolutions. He admitted that there existed a great deal of distress in the country, but these resolutions applied no remedy to them. The whole of the first part of the hon. and learned gentleman's argument went to prove that we ought to have established constitutional governments on the continent in order that the benefits of commerce should be extended to us. This argument was so absurd in its nature, that he would not then take up the time of the House in offering any answer. The resolutions ought not to be adopted until some evidence had been adduced to show that the statements were true: assertions were made, but nothing was proved; and though many arguments had been employed to show that all the distresses were imputable to ministers, the arguments were as destitute of foundation as the assertions. The present was the first occasion within his memory when not a single account had been required from the public offices on which a motion of such importance was to be grounded. The account of tonnage produced by the hon. and learned gentleman proved nothing unless he could also show in what way that tonnage was employed, with what goods the ships were laden, or how many of them were in ballast. It was an erroneous assertion to say that the commerce of this country was altogether declined. The iron trade, on which so much had been said was not in that decayed state which was said, for the exports of the last year had considerably exceeded that of the two preceding years. Another objection of the hon. and learned member was, that we had not taken advantage of circumstances, and secured the trade of South America, but all persons better acquainted with the subject knew that that would be impracticable without running the risk of a war. As to the twenty years monopoly which was talked of, it was offered only by one province (the Carracas). The diminution of the demand for the luxuries of life was principally to be attributed to the temporary emigration of many families to the continent. The remarks made upon machinery seemed inapplicable to this question. Session after session, during the war, acts were repealed that restricted the use of machinery: and if a different course of policy were now pursued, what would become of the cotton-

manufactures of the kingdom? The difference of the circulation now and at a former period might be considered one cause of the present distresses. When the restriction was put upon the cash payments of the bank of England, no less than 44 millions sterling, in gold, were in circulation; bank paper at that time did not exceed 12 millions; it had since risen to 27 millions, and the paper of country banks had amounted to 9 or 10 millions; so that, in the whole, the circulation of late had been only 36 millions instead of 44 millions, as in 1797; which of itself would produce much inconvenience. At the same time he was decidedly opposed to a precipitate resumption of cash payments. The poverty of the continent was another great source of distress in this country; but in that respect a rapid improvement was taking place. The hon. and learned gentleman had contended, that the prosperity of the country was not to be calculated from the present state of the exchanges; but in his Mr. Rose's opinion, those exchanges and the price of gold afforded the most flattering prospect. It had also been argued, that in our commercial arrangements, we had constantly treated France as an inveterate enemy, instead of conciliating her friendship. The fact, however, was otherwise; for after the American war many duties were lowered, and several prohibitions removed: the impost upon French wines was reduced one-half, while that upon the wines of Portugal was only reduced one third. With respect to commercial treaties, he thought it would be absurd to say that we could have them with all the advantage on our own side. Such treaties would only involve us in great intricacy and confusion. As to the complaint of the collection of the customs, he was of a different opinion. He thought that there could not be a more economical plan than that which was followed in our customs. On the whole, although it was impossible not to admit that great distresses prevailed, he saw no cause for despondency, convinced as he was, that in a short time all things would come round and prosperity be restored to all classes.

Sir John Newport expressed his surprise at the line of argument adopted by the right hon. gentleman who, while he admitted that such great distress existed in the country, denied that there was evidence before the House sufficient to support the resolutions. But the fact was, there was a great mass of evidence before

the House, besides the admission of the right hon. gentleman himself. There were petitions from all parts of the country, and from every class and description of its inhabitants, complaining of distress, and decay in their several branches of industry whether of agriculture, manufacture, or commerce.—and these were documents sufficiently strong to support the question now in discussion. The opinion of the right hon. gentleman was most extraordinary, “that the country was in distress, but that it would right itself;” There might be hopes of this, but unless some measures were adopted to enable it to right itself, those hopes would be most groundless, and the assertion of the right hon. gentleman reminded him of what Horace said, “*Rusticus expectat dum defluat amnis,*” and unless some measure of relief were adopted, it might be added of the tide of distress that overflowed the country, “*Labitur et labetur in omne volubilis ævum.*” Distress pervaded every part of the country, yet, with an apathy as singular as it was unaccountable, ministers put off, day after day, week after week, the great business of examining its true causes. They seemed to shudder at the very idea of looking into the origin of these distresses. But he would ask, how were members to justify themselves to their constituents, by allowing themselves to be persuaded by ministers to overlook these distresses? The right hon. gentleman had talked of a gradual resumption of cash payments, just as he had once talked of a gradual abolition of slavery; and the House had no occasion to be reminded of what that term “gradually” meant. It was insulting to the country to describe the transition from war to peace, as the cause of our distresses, for those distresses to a very great extent, were simply owing to our immense taxation. The emigration of the gentry was said to be another cause, but it was more properly an effect of the distress, for they were driven by the force of taxation from the country, and found it utterly impossible to exist here under such an intolerable load. That emigration would be, not temporary, as the right hon. gentleman flattered himself; but permanent until the country should be restored to such a state that a gentleman of family could live in the style to which he had been accustomed from birth. Let the taxes be moderate, and no emigrations would ever take place. But things we were told were coming round. Yes, Dis-

trass had come round, with its ally poverty, and had reached to us from the continent, and now centered in England, and was likely to remain stationary there for any efforts that ministers seemed disposed to make. Poverty had laid its withering grasp on all classes of the community. The rise of the funds had been ascribed to the increasing prosperity of the country, but it certainly was owing to the increase of capital, as there was no channel of trade in which the merchant or trader could embark his capital with profit, and he had therefore gone to the funds. If the argument for their rising, on account of the suspension of the Habeas Corpus, was good for anything at all, why not at once abolish that act, since its temporary suspension was a source of prosperity. The sinking fund could not be at all beneficial, unless there was a surplus revenue, for, if that surplus revenue ceased, the fund must be made up by new taxes, which it was now acknowledged the country could not pay, and which could not be levied. He considered the present delusion, called by the name of a sinking fund, to be worse than a delusion, inasmuch as it materially injured one class without benefiting another.

Mr. C. Grant junr. contended, that the resolutions moved by the hon. and learned gentleman were a direct censure on the conduct of ministers. They contained criminal charges against them which were not borne out by the fact. He therefore could not agree with them; though he admitted that there existed a considerable degree of distress in the country, yet that he did not conceive a sufficient foundation for charging his majesty's government with criminality of which they were not guilty. Another reason why he could not agree with the resolutions was, that they tended to produce throughout the country regret for the past and hopelessness for the future; neither of which feelings had any foundation in fact. It could not be denied that distress existed, but it ought to be admitted that it was considerably less than it had been a short time back, and that great improvements were recently perceptible in almost every branch of manufacture.—We were improving, and we had a prospect of improving still more. It was then unfair to give a check by such desponding views of our present state, as were comprehended in the resolutions, to the hopes which the incipient renovation of our commerce had begun to excite. The causes which ope-

rated in continuance of some distress were stated, but the great and first cause of their existence had been kept out of sight. The one great cause in which the present distress originated was, the cessation of the demand from our foreign customers. We had for a long time the almost exclusive supply of the foreign market; but this was now cut off, or at least checked by the poverty of those whom we before supplied. Of course the commodities which they formerly consumed were now returned upon our own home market, which was already glutted by the quantity on hands. He would not go into the political causes of this, but it was enough to account in some degree for that pressure which was now felt. Another great source of commercial distress was, the cessation of the home consumption, and this arose from the want of means occasioned by temporary causes. The home market was one of the best supports which our commerce and manufactures had. It always, during the war, afforded a ready consumption for a great part of our manufactured goods as well as for the articles of foreign importation. While we were at war, the high price at which all articles of agricultural produce had arrived, enabled the farmers, and others dependent on that branch of our industry, to use our own productions. It gave them amply the means of purchasing, not only the necessities and comforts, but even the superfluities of life, and this afforded a support to our domestic trade and commerce, which was nearly equal to that given by the foreign markets. If it was recollected that corn had risen during the war from 2*l.* to 3, 4, 5, and 6*l.* it would not be surprising that the consumption of our manufactures, by the landed interest, had increased to a corresponding extent. This consumption gave a stimulus and support to every other branch of our trade, which was of the greatest advantage: but now that the price of agricultural produce was so considerably reduced, when its exchangeable value was so much depreciated, it was not at all surprising that the profits of our home market had so considerably diminished. At one time, during the war, the value of our agricultural produce was rated at 216 millions annually; but at the present moment, it was reduced to nearly half that amount. This would show the root of the distress. It was, in fact, the home consumption on which we had hitherto, in a great degree, depended; and

when that became materially lessened from the operation, as he had before observed, of temporary causes, we ought not to be astonished if our general trade suffered. In former years, when, by the operation of what was called the continental system, our goods were partially excluded from those foreign markets, where before they had found so quick a sale, the flourishing state of our agriculture enabled us to supply, in a great degree, the deficiency in our foreign consumption, which that temporary exclusion had created. Means were found to circulate our commodities through the country at home; and though this was done at a reduction in their price, yet there was still a sufficient profit to keep our manufactories in a flourishing condition. But at the present moment, when we were shut out from foreign markets, by the temporary poverty of our customers, we had not the same means. For besides the diminution of our home demand, we had our warehouses filled, and this glut was increased by the return of those goods, which we were not enabled to dispose of abroad. At the same time that he admitted this, he was glad to perceive that we were beginning to revive from that languor into which the change from war to peace had thrown us. In several parts of the country our manufactures had begun to improve. Orders for our manufactures were daily falling in from various quarters. Many persons, till recently out of employment, were now at full work. This was particularly visible in our woollen and cotton manufactures, and the prospect which was open of their greater increase was extremely cheering. In Glasgow, at the present moment, most of the weavers were engaged; and this was, in a great measure, attributable to the impulse that had been given to that which communicated its impulse to every thing else—he meant agriculture—by the corn bill, of which measure the corn districts were now reaping the benefits. It was an unfounded assumption, that the rise in the funds had been occasioned solely by the purchase made in them of unemployed capital. The real cause of the rise was, that public confidence had revived. The hon. and learned gentleman had spoken of the relaxation of our commercial system; and he agreed with him in thinking, that such relaxation would be highly advantageous to the country; but how was it to be brought about? The hon. and learned gentleman

could not but be aware, that the opinion of the country was decidedly against any relaxation, and nothing could be more unstatesmanlike, than to attempt to legislate against public opinion. Many seemed to suppose, that there was some magical secret in the system which had elevated this country to its high pitch of commercial greatness; but if there was any secret, he was sure it was not wrapped up in the paragraphs of these restrictive statutes, but was to be found in the industrious spirit and skill of the people of this country. But he was convinced that the difficulties which our trade had experienced were about to be overcome. With regard to foreign trade, the Mediterranean and American markets were fully open to us. Nothing could eventually exclude our manufactures from the continent. Even the iron hand of Buonaparté had failed in producing that effect. They had been sent hence to Russia; from Russia to Turkey; thence to Salonica; and over land to Vienna; and even then the trade left a profit. When gentlemen considered the resources the country possessed, the high state of its cultivation, the extent of our empire, our political ascendancy and superiority in arts and in arms could they believe the predictions they had heard? Were they to believe, that this great nation was now ruined past all hope of recovery? that it was a nation to be hurled from guilty greatness, to irretrievable destruction? In answering these questions, he should not inquire what markets we had for our manufactures; he would appeal to a higher ground. He relied, for our security and prosperity, on the energy and strength of character possessed by the people of this country—on the ascendancy of the national genius, which had carried us with glory through the war; and on that constitution, so admirably adapted to insure the national prosperity in peace.

Mr. *Sharp* adverted to two points in the speech of a right hon. gentleman opposite, to show the fallacious character of his reasoning. The right hon. gentleman had asked, how the late rise in the funds had taken place, and had concluded by attributing it to increased confidence in the government. This was certainly not going so far as a noble person was said to have done in another place, who ascribed the rise in the funds to the suspension of the Habeas Corpus act! The plain fact was, that it had been occasioned by the very prudent measure adopted by the chancel-

lor of the exchequer—the reduction of the interest of exchequer bills, from 5 to $3\frac{3}{4}$ per cent. The right hon. gentleman had also argued, that there was similar distress, at the close of every war, and had instanced the price of funds after the close of the American war, which was certainly low. But there was a manifest cause for this:—for as commerce was then opened to America, the temptation to withdraw money from the funds, to embark in mercantile speculations, was so great, that a reduction in the price necessarily took place; but for such a transfer at present there was no temptation. The right hon. gentleman had said, he was convinced the whole system of restrictions was erroneous. If so, what was the reason that it was continued? Why, the right hon. gentleman told them that he was so teased and worried by the manufacturers in support of them, that he feared to make any change. Now, he (Mr. S.) could not conceive any stronger argument than this acknowledged weakness of the government, to prove the mischief which would ensue, if the House, by its vote, should declare that there was no necessity for its interference, while the ministers were unable or unwilling to do even that which they were convinced would be advisable.

Mr. Thornton said, that he felt obliged to the hon. and learned gentleman for bringing forward the discussion; and although he did not feel the necessity to change our whole policy of foreign commerce, he still was induced to recommend his majesty's ministers to revise many branches of it; and in particular those that had been mentioned, of the duties on foreign timber, especially from Norway and the Baltic (imposed to favour the importation of timber from our American colonies, but in reality favourable only to the importation of that article from the United States). Also the high duty on foreign linens, which was the occasion of the transit and profits on them being lost to the country, together with the other articles that might compose an assorted cargo with the linens. Adverting to the statement that had been made by a right hon. gentleman respecting the decreased circulation of the country, and his observations on the bank of England, he remarked that the directors had a delicate and arduous duty to fulfil. There were persons in that House ready to censure any increased issue of bank notes; and, on the other hand, the right hon. gentle-

man was of opinion their issue was too small. The directors ever had fulfilled, and would continue to fulfil the trust and confidence placed in them in a prudent and considerate manner. The right hon. gentleman had stated, that a circulation of 40 millions of gold had existed before the war, and had said so in a pamphlet. He (Mr. Thornton) thought it extremely difficult to say what had been the circulation of gold; and he was certain that the amount coined was not a data from which it could be taken. During the American war our troops had been maintained in that country by guineas sent from hence, and 20 years after a large portion of those guineas had returned to this country. In estimating the circulating currency, the country bank-notes and the exchequer bills ought to be comprehended. He approved of the policy, that this country should not interfere in the dispute between Spain and her colonies; but should the trade to them be opened, he hoped active and early measures would be adopted to secure a share of it to Great Britain.

Mr. Finlay did not agree with those who supposed the distress of the country proceeded from a diminished demand for our manufactures. The goods brought to market by the manufacturers were disposed of, but the evil lay in the low state of wages. This, he believed, was an evil experienced over all Europe. An hon. baronet, in a former debate, had represented the situation of this country as worse than any other in Europe; but that he was confident was not the case. In France, in Switzerland, in Austria, Saxony, and every part of Germany, the greatest distress was felt. This state of things, he thought, was occasioned almost solely by the change from war to peace, which sent back to their homes great numbers of men who had been engaged in military pursuits. When the prices of labour became thus reduced, the workman found it necessary to work a greater number of hours to enable him to maintain his family; and this additional work threw a new quantity of labour into the market, and aggravated the distress. An improvement, however, had taken place in all the manufacturing districts; and when that improvement should advance a little farther the situation of the cotton manufacturers would no longer be a subject of complaint. He objected to the resolutions, but he wished to see some other way of disposing

of them resorted to than that of passing to the order of the day.

Mr. *Brougham* in reply to an observation which had fallen from a right hon. gentleman, explained that he had not stated any thing against the use of machinery; on the contrary, he had observed, that the low price of labour had the effect of leading to a competition with machinery,

Lord *Castlereagh* was happy to think that any impression which could have been made by the tone of gloomy despondency which pervaded the hon. and learned gentleman's speech must have been long since removed by the facts which have been stated by gentlemen well informed of the real state of the country; and especially by those which the House had just heard from the hon. member for Glasgow. To the latter part of the hon. and learned gentleman's speech, the introduction of which he very much lamented, he certainly did not feel himself called upon to reply, because there was nothing in it really applicable to the question before the House. He could not refrain, however, from observing, that the discussion of a nature similar to the present which took place last session, had been conducted in a better manner and spirit. Care had then been taken to abstain from mixing political questions with those of the present kind. On the present occasion it seemed to have been more the aim of the hon. and learned gentleman to wound the government than to mend the situation of the country. But with respect to what the hon. and learned gentleman had said of the course of policy which his majesty's ministers had pursued at the close of the late war, he should only observe, that every point of that great question had, after full deliberation, been decided upon by the House.—Having obtained the sanction of parliament, he apprehended that the conduct of ministers could not now be made the subject of inquiry. He was certainly ready to acknowledge that, as fallible men, they might have committed mistakes; but he was willing to leave it to the present generation, and posterity, to judge whether in those great transactions, in the adjustment of which they had to participate, they had not done their best for the interests of the country and of mankind. He, for his part, should never regret that he had been no party in the framing of such treaties as the hon. and learned gentleman thought ought to have been the result of the late peace.—No-

thing, in his opinion, could be more criminal than exercising a power over other men, in order to compel them to contribute to our interests. Such a system almost always turned against the country which resorted to it. Where was the country with which there could be any hope of maintaining a treaty imposed upon it contrary to its interests and wishes? In what sort of situation would this country have been placed had we been obliged after peace to remain armed for the purpose of compelling the countries to submit to treaties which they might think it their interest to break? With regard to the question of distress, he was not disposed to deny its existence to a very considerable extent; but he was well assured that the state of the country was improving. An hon. member from an important district, who spoke last, had acknowledged this improvement; and had farther borne testimony, that the distress did not arise from the smallness of the demand for our manufactures, but from the decreased price of labour. What had passed last session, relative to another branch of public industry, was calculated to afford much consolation in the consideration of the present subject. The House would recollect, that the state of agriculture was then as depressed as that of manufactures was now. In the speech which the member for Essex with great ability addressed to the House, on submitting his resolutions for the advantage of agriculture, he, with all his knowledge of the subject, fell into a manifest error.—He regarded the depression of agriculture as permanent. The Committee of that House which took the subject into consideration, on the contrary, considered the distress to proceed from temporary causes, capable of removal; and the event proved their opinion to have been well founded. There was often a strong similarity between the circumstances which tended to depress agriculture and those which operated in the same way on manufactures. An expectation of the introduction of foreign corn, for instance, always produced a rapid decline in the value of agricultural produce. It was much the same with manufactures, when, after a war a great mass of population was thrown back on the country to seek for civil employments. This could not fail to cause a depression in the price of labour, and, combined with the low price of corn, had the effect of making all descrip-

tions of persons seek to indemnify themselves by a reduced consumption, and other measures of economy.—He denied that the continent was shut against our manufactures. There were some accounts on the table to which he should advert as evidence of the present state of our foreign commerce. They would amply prove that our trade had not suffered in consequence of no commercial treaties having been concluded. Of such treaties it ought always to be remembered, that the powers of the continent entertained the greatest jealousy, and could not now be persuaded to adopt a system which would throw their commerce into one channel for a given series of years. To so great a height was that jealousy carried, that though this country should not have common justice in a commercial convention, it would be thought on the continent that the bargain was entirely to our advantage. The House would, however, see from the accounts he should read, that our trade did not need the assistance of such treaties. The exports of our manufactures for the year 1816, according to the statement of their official value, which the House knew was the fittest for a comparison of this kind, amounted to 36,700,000*l.*, and this was the highest value they had ever reached, except in the preceding year, when the amount was 44,000,000*l.* In the year 1814, they were 36,000,000*l.*, in 1813, 31,000,000*l.* Upon every fair principle of reasoning, it might be concluded that the unnatural amount of the exports of 1815 had contributed to the present distress. It was well known that much speculation had previously taken place, and that very great efforts were made to meet the expected demand of peace. Very considerable exports have been made to America, where, in consequence of a distress similar to that which prevailed in Europe, the power of purchasing had diminished, and our manufactures, after lying for a time in warehouses, were re-exported to this country. This produced a surplus in the home market, and a consequent depression of prices. He would show by the state of our exports that there had not been much falling off. Last year we exported cotton goods to a higher amount than we ever did in any former year, except the preceding. In 1816, the exports of cotton were to the value of 16,300,000*l.*; in 1815, 21,000,000*l.*; in 1814, 16,000,000*l.* Our woollen and linen manufactures were exported in a si-

milar proportion compared with preceding years. In all our export trade there was no indication of a great decline. Looking at our intercourse with the continent we should be sensible that it was now greater than at any former period; and from this there was every hope that a revival of our commerce might be expected. Our home consumption of manufactures had certainly been exceedingly diminished in consequence of the great falling off in government demand; this would be seen by a comparison of the demand of the ordnance, of the navy, and the commissariat, for manufactured articles and produce during the last and preceding years. He had not the ordnance accounts before him, but it would be seen what difference existed between the war and peace demand of the navy board and the commissariat from the following statement:—In the year 1812, the navy purchases were to the amount of 2,300,000*l.*, in 1813, 2,800,000*l.*, in 1814, 1,400,000*l.*, in 1815, 505,000*l.*, in 1816, 317,000*l.* The commissariat demand in 1814, was 280,000*l.*, in 1815, 553,000*l.*, and in 1816, 195,000*l.* The withdrawing of this great demand from the home market was the cause of the diminished consumption of manufactures, and of a portion of the distress of the manufacturing interest. The improvement of the exchange, too, which might be advantageous to the country, operated against the merchant who exported our commodities, and tended to diminish his trade. When the exchange was high, the merchant could afford to export articles and sell them in a foreign country for a small, or even for a less price than he bought them, and still be a gainer by the profit on the exchange in making his returns. Now how much must the exchange discourage exports, when instead of being 25 or 30 per cent. against us, it was 8 per cent. the other way. Even with this disadvantage, our manufactures would, however, find their way to the continent. Notwithstanding the obstructions formerly thrown in the way of a free intercourse with the continent, our manufactures and produce were exported for the supply of our neighbours: and it could not be supposed that greater facilities of intercourse would diminish this tendency. When there was every reason to hope for a beneficial change in the circumstances of the trading and manufacturing interest, he could not help expressing his disapprobation of any thing that tended to inspire

gloom and distrust, Nothing could be more cruel than to add to the pressure of distress foreboding predictions of its continuance, and to take away from those who were suffering the prospect of amelioration. There might soon be a demand for the labour and industry of the country, as great nearly as formerly. Wages would in consequence rise; but he did not think they would rise so high as formerly, nor did he believe that such a rise was desirable. The excessively high rate of wages, during some of the flourishing periods of our manufacturing industry, he was convinced contributed neither to the morals, to the health, nor to the happiness of the people. They were apt to engender habits of extravagance, to produce irregularity, and to operate against temperance and economy. If the present calamity did nothing else but correct the disposition thus fostered and strengthened, it would effect an ultimate benefit. He came now to the question, whether the resolutions ought to be supported; and here he concurred cordially with his hon. friend who had moved the amendment. The hon. and learned gentleman seemed desirous, from the way in which he introduced this subject, and the nature of the resolutions with which he concluded his speech, to leave his majesty's ministers no other alternative than to move the orders of the day. The political hostility of the hon. and learned gentleman was so mixed up with his commercial propositions, that he could not expect from ministers their concurrence in his resolutions. His object seemed to be to attack ministers, and thus to leave him no other course but to concur in the motion of his hon. friend for passing to the orders of the day, with whatever reluctance he did it, and however willing he would have been to have entered into the discussion of the commercial question had it not been studiously rendered subservient to a political one.

Lord Cochrane, in looking to the causes of the present distress, could not but come to a very different conclusion from that which had been come to by the noble lord and the hon. and learned gentleman. To him it appeared their observations with respect to the effect that would be produced by an increase in the value of agricultural produce, were completely unfounded. Consequences very different from those which they thought were to be expected, would, he was confident, result from such a change. If what was

raised from the land became of greater value, a higher price must be placed on the article manufactured from it; and if the prices of our commodities were thus enhanced, they would cease to be exported. The root of the evil appeared to him to lie in the amount of taxes paid by the manufacturer and landholder, and not in any temporary causes, arising out of the transition from a state of war to a state of peace, or from the falling off of the demands of government for those supplies of manufactured articles which were wanted during the war. He was of opinion if the people were relieved from that load of taxes which now oppressed their industry, not only would the home demand revive, but they would be enabled to under-sell the merchants of other countries in the foreign markets. At present it was impossible for them to enter into competition with foreigners. It was said, that as our goods had found their way to the continent while Buonaparté was in power, and while his decrees were rigorously enforced, there could be no doubt that they would do so again, when the other nations of Europe had had time to recover themselves from the effects of the late war. On this he had to remark, we were now in a situation very different from that in which we had formerly stood at the period referred to. Then, the difficulties we were enabled to throw in the way of France, created such impediments to the transfer of her manufactures to other parts, that the British merchant was enabled, in spite of the decrees, to send goods to them cheaper from this country, than they could be exported from France. It had been said by some gentleman who had spoken in the debate, that all classes in the state laboured under the same difficulties. This was certainly the case with one exception. Those were exempted from the general calamity, who, in some way or other, derived their revenue from the public purse. While all other classes were severely suffering from the pressure of the times, these, on the contrary were better off than formerly, in proportion as the general distress was great. This in part arose from the great diminution of the circulating medium which had taken place. At that late hour he would not enter at large into the subject, but he must say the evil would not be removed by an increase of the number of bank notes now in circulation. If no other means were devised by ministers for the relief of the people it would be impossible

for this country to carry on any trade with foreign nations, without having the exchanges immediately turned against us once more. When however they were congratulated on the prospect of the bank resuming its payments in gold and silver, he thought it right to say that for the bank to return to cash payments at present, would be most injurious. It was a delusion to talk of it, but if the thing could be done, it would produce universal distress; greater even than that which had been already experienced. The agricultural interest would be ruined by it, and the country could derive no benefit from the sacrifice which would thus be made, with the exception of that class of which he before had had occasion to speak. These for a time (but such a state of things could not continue long) might be gainers by it, and while the rest of the population suffered, more profits might be put by the resumption of cash payments, into the pocket of the fundholder.

Mr. Alderman *Atkins* said, if the hon. and learned gentleman had moved for a committee to inquire into the state of manufactures and commerce, he should have supported his motion. He thought the state of the country indispensably demanded the appointment of such a committee to investigate the causes of the existing distress, and to endeavour to discover means by which it might be removed. As the hon. and learned gentleman's resolutions had no reference to that object, however unwilling he felt on such a question to pass to the order of the day, he could not vote with him.

Mr. *Brougham* rose to reply, and spoke as follows:

Sir;—Having already trespassed beyond all bounds on the patience of the House. I shall now intrude upon it but for a very few moments. It was not my intention to have offered one word more on the subject; but the observations which have fallen from the worthy alderman who spoke last, and from another hon. gentleman (the member for Glasgow) call for some reply. Both seemed to complain that in the resolutions which I have had the honour to submit to the House, I have not called for the appointment of a committee. Had they read my second resolution, I think they would have seen that it involved that which they have thought it their duty to recommend. They would there have found that I have endeavoured to prevail upon the House, to bring the whole com-

merce of the country under their consideration, with a view to make such a general revision of the system, as may appear to be called for by the changes which have taken place in the circumstances of the country, and indeed of the whole world. I have proposed that the question at large should be made the subject of inquiry, that inquiry of course to be undertaken by a committee of this House. I never thought of bringing in bills to repeal the prohibitory duties now in force, or to alter the navigation laws, till some investigation of the effects produced by them on our commerce had taken place. I considered it necessary that the subject should first go before a committee who should report on it, preparatory to the bringing in of such bills. What but this would immediately follow if the resolutions now before the House should be carried? The committee of trade and commerce (one of our standing committees), would immediately take cognizance of the resolutions, upon the motion being agreed to, unless it should be deemed advisable to refer them in the usual way to a committee above stairs.

Being on my legs, there are one or two of the statements made by the noble lord that appear to me so calculated to mislead the House, that I must be allowed to notice them. In the first place the noble lord has replied to my speech by an attempt to show that the exports of the last year, amounting to 36,700,000*l.*, were greater than those of any former year with the exception of 1815. I expected to be met by a large statement of the exports from the official returns, and the noble lord will recollect that I anticipated such an answer. What appears on the face of the official papers does not at all surprise me, for I knew the facts before, which the noble lord has endeavoured to establish, but what I contend for is this, that the noble lord has no means of showing that the returns he has quoted give any thing more than mere nominal prices. He cannot prove that the goods have been paid for—that these were real invoice prices, or that even 50 per cent. on them had ever been paid. The returns do not show that there has been any demand for the goods so exported; or that a bale of them has been sold. The truth is the foreign markets have been glutted with our merchandise; there has been no sale for the goods sent out; consequently no returns have been made; and it is this state of things which has had the effect of raising the exchanges

to their present unnatural height, in what is absurdly called *our favour*. The state of the exchanges is merely the consequence of there being no market for our goods, and no returns for them by importation. The hon. member for Glasgow has stated that there is at present but a small stock on hand, and that the export has been unusually great. What follows from this statement?—why that great quantities of goods have been sent abroad,—but not sold; and much of what has been sold, has been sold for less than its cost to manufacture the goods thus disposed of. If then, under such circumstances, my honourable friend, the member for Glasgow, has exported a large quantity of his cotton webs, and has now but a small stock on hand, it does not follow that the view I have taken of the state of our commerce is other than correct. On the contrary, it is because my statement proves accurate; because what he has exported fetches little or no profit, and much of it is sold at a loss; that he cannot afford to pay even moderate wages to the hands that wove the webs. In a word, I never denied that there was both export and work going on, but I stated (and all the answers attempted to me admit it) that the exportation brought no profit, and consequently the work was not paid. That the demand of government for various manufactured articles was great during the war; and that the cessation of this demand, now we are at peace, must cause much partial distress I am aware; but the noble lord has argued on this, as if the sum formerly expended, had been so much clear profit to the country. He has made no account of the money which, from the cessation of these demands, must remain in the hands of the people. He has not spoken of this as being at all likely to promote our internal commerce, and to make up for the depression experienced in one part of the country, by the increased prosperity of another. If he and his colleagues have no longer their hands in our pockets as formerly, might it not have been expected that the same private revenue, would still have caused nearly the same demands in the home market generally? Is it unreasonable to suppose that the people should purchase for themselves the same articles with their own money, which were formerly purchased for them, while the chancellor of the exchequer had his longer hand in the pockets of those paying taxes? The noble lord argues as if

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men could not spend their money unless that hand was working in it as well as their own. I admitted distinctly that the transition from a war to peace in some particular places increased the distress; and I gave Birmingham as an instance—But from the falling off in the demands of government having operated severely in some instances, the noble lord cannot account for the absence of money in all directions; yet this is the melancholy fact.

In noticing one part of my speech, the noble lord has argued as if I were an advocate for so monstrous a speculation as that of establishing and supporting foreign governments, not with a view to the general happiness of mankind, but in order to make them subservient to our commercial interests:—as if I were desirous that dynasties should be planted here and there, for no purpose but to secure this country undue advantages in her trade. Sir, I have said no such thing. I never thought of advancing such a proposition. On the contrary, I have said, “Do that which is right, which is honourable,—which a liberal and enlightened view of the present situation of the world would dictate; and which a regard to our own national character prescribes;—and doing this, you will find you consult your own best interests, commercial as well as political.” This was the course which I recommended to the noble lord, and I asked him whether that which he had pursued was the true line of policy, and whether it served the interests any better than it maintained the honour of the country? To the system which he and his colleagues have pursued, I objected not merely on commercial grounds, but on account of the injustice by which it was marked. I contended, that the character and the trading interests of England suffered equally from making her the patroness of every antiquated superstition; the accomplice in spoliation, and the ally of fraud and of oppression wherever it was to be found on earth. Such conduct I maintained, while it must prove most injurious to our character, unless disavowed by parliament, would also ultimately injure us in money, as well as in reputation; since those who profited by our departure from principle, would be the first to laugh at our folly, and despise us for joining in their crimes. Those in whom we most confided, far from giving us those advantages to which, by the conduct I have described, we might suppose ourselves entitled, will be found most ready to con-

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demn our injustice, and to deprecate our interference in their affairs. After what I have already said, I will only humbly venture to suggest that we might have presumed to solicit something from the countries for which we have done the most;—we might have attempted to use the influence we had acquired with their governments in favour of our commerce. In France, instead of making the restoration of a particular family our *sine qua non*, our attention might have been directed more to the happiness of the people, and in helping them out of their difficulties; commercial advantages might have been obtained from their gratitude. Instead of acting thus, a widely different course has been taken; but so long as we continue to act by that country as we do now, it is my firm conviction—a conviction which I have not the smallest doubt I shall carry with me to my grave,—that we shall not only injure our character in France, but shall irremediably, if a cure to the evil be not promptly applied, lay such a foundation for commercial jealousy, and political hatred, as will infallibly meet us every where in tariffs and in treaties—it is of no consequence under what name, but it will meet us in some shape or other, wherever we are called upon to act. We ought to have endeavoured to make some commercial arrangement with France. Her goods ought not to have been excluded from our markets. But instead of taking that course we have treated the French people in such a manner, that supposing them to possess but the lowest feelings of honour, or of national dignity, it is impossible for them at present to listen to any offer on our part to treat with them.

With respect to South America, I have not recommended that we should go to war to obtain commercial advantages in that part of the world, but I do wish that we should use the means we possess of enforcing our interests without going to war. I have not said that we ought to take part with the colonies of Spain against the parent state; but without recommending this, I will say we ought to put our relations with the Spanish colonies on some regular footing. At present we have done neither one thing nor another. We have consuls in one place; in others we have no agent;—one governor appears hostile, another seems friendly to the independent cause; and the whole course of our policy, if policy it can be called, is calculated to perplex and hamper our own

merchants. I wish some distinct line of conduct to be adopted, which may at once set all doubt at rest. In making such a call, I am supported by a very considerable authority, that of the noble lord himself. Once upon a time I recollect, the noble lord, by some strange caprice of fortune, was doomed to occupy the benches from which I now address you. In those days (they were not many, and may never return) he himself took the very same view of this question which I now recommend. In a very able speech, at least it was a pretty extensive one, upon the address to the Crown, he touched upon the South American question. I am the more confident that my account of his words is correct from internal evidence; for one of his charges against the ministers of the day was, their having dissolved parliament, which act the report makes him typify under the figure of “turning their backs upon parliament.” Their policy with respect to the Spanish colonies in South America, met with his disapprobation, as he considered it to be neither one thing nor another, and what he wished was, that they would determine on some definite line to be adopted, and, as he said, either do one thing or another. This, which the noble lord then recommended to others, is precisely what I am now exhorting him to think of himself. I wish him to adopt some fixed line, and pursue it; I would have him do either one thing or another. I am surprised and grieved at the manner in which it is attempted to get rid of the present motion. If the House shall adopt the previous question, or proceed to the other orders of the day, what will such a decision be, but that which my hon. friend (Mr. Sharp) has very ably stated? It will be considered a declaration that the calamities of the people are great, but that this House will do nothing for them in the hour of distress: that we even refuse to inquire into their situation, and will not entertain the question of relieving them.

If such a course is at any time to be shunned, Good God! what must it be at a time like the present, when pursued in the face of the portentous statement made by the right hon. gentleman at the head of the trade of the country, who has declared himself to be against the great bulk of the present commercial restrictions, who has avowed that he agrees with me in almost all I have urged against the system, but gives as a reason for clinging

to its errors, that the ministers are not strong enough to combat the various personal interests opposed to a change. The right hon. gentleman has admitted, that the government would be willing to encourage a revival of the commerce formerly carried on between this country and the north of Europe, but they could not do this for the representations made by the timber merchants concerned in the trade to British North America. They would make new regulations too with respect to the importation of iron, but here in the same way, they are met by those interested in the iron trade. When a government is reduced to such a state of deplorable weakness, that it not only consists of a few mere clerks in office, but is in so dependent and tottering a state, that it cannot stand up to act for itself against one paltry interest and another; and when this wretched imbecility is not only confessed by themselves, but put forth as a reason for not attempting what they admit ought to be done for the country, is it not full time, I ask, for the House to take the affairs out of their hands? Have they not supplied an unsatisfactory argument in favour of the present motion, one which should induce this House, if there were no other, to take upon itself the revision of the commerce of the country, and to make those necessary regulations, which ministers, from the opposition of interested individuals of this trade and that, of their iron-men and wooden-men, are unable to effect, and afraid of attempting themselves? On a former night, I incurred the displeasure of the master of the Mint for quoting the authority of a predecessor of his, who filled the same office, but was certainly a person of very inferior rank and influence in all other respects—I mean sir Isaac Newton. Perhaps I shall be excused to night for citing the words of another great man, who, having been also a cabinet minister, may be better listened to by the gentlemen opposite, my lord chancellor Bacon. That illustrious person has delivered himself in expressions not inapplicable to the present times. He recommends for the remedy of seditions, nothing like gagging bills or other measures of restraint, which, by seeking to silence the voice of complaint, only give the people more cause to complain. But, he says, that the best means of checking discontent, is to search the causes of it, and undertake their removal, whether these shall be found in the amount of

taxes, the falling off of trade, the breach of ancient customs and privileges, or the number of soldiers and strangers in the land, and generally whatever tends to knit the discontented together in a common cause. He is disposed to think too that we should give the public feeling a free vent; and above all things, he warns us not “to turn the humours back, and thereby cause the wound to bleed inwards.” Sir, I warn this House to have a care how, in the present season of acknowledged calamity, of grievances from misgovernment this night openly confessed, you turn back the popular humours of which you complain, least you cause the wounds to bleed inwards.

The House then divided on the Amendment, “That the other orders of the day be now read.”

Yeas, 118; Noes, 63; Majority against Mr. Brougham’s Motion, 55.

List of the Minority.

Anson, sir George	Madocks, W. A.
Atherley, Arthur	Maitland, hon. A.
Aubrey, sir John	Martin, Henry
Babington, Thomas	Martin, John
Butterworth, Joseph	Molyneux, H. H.
Bennet, hon. H. G.	Monck, sir Chas.
Baillie, James E.	Morpeth, visc.
Baring, sir Thomas	Moore, Peter
Baring, Alexander	Newport, sir John
Barnett, James	North, Dudley
Brand, hon. Thos.	Ord, Wm.
Brougham, Henry	Osborne, lord F.
Calcraft, John	Ossulston, lord
Calvert, Charles	Ponsonby, rt. hon. G.
Carter, John	Prittie, hon. F. A.
Cavendish, lord G.	Ridley, sir M. W.
Cochrane, lord	Romilly, sir Sam.
Duncannon, visc.	Rowley, sir W.
Ebrington, visc.	Russell, R. G.
Fazakerley, J. N.	Sebright, sir John
Fergusson, sir R. C.	Sefton, earl of
Fitzroy, lord John	Smith, John
Folkestone, visc.	Smith, Samuel
Grenfell, Pascoe	Smith, Wm.
Guise, sir W.	Smyth, J. H.
Hammersly, H.	Stanley, lord
Hill, lord Arthur	Teed, John
Hughes, W. L.	Vernon, Granville
Hornby, Ed.	Waldegrave, hon. W.
Lamb, hon. W.	Wilkins, Walter
Langton, W. G.	TELLERS.
Lemon, sir W.	Macdonald, James.
Lyttelton, hon. W. H.	Sharp, Richard.
Mackintosh, sir J.	

MUTINY BILL.] In the Committee on the Mutiny Bill,

Mr. Gurney objected to the clause permitting enlistments for life. After some conversation between lord Castlereagh,

Mr. W. Smith, sir Samuel Romilly, Mr. Bennet, and lord Palmerston, who suggested that the present bill only ran till June, Mr. Gurney withdrew his opposition to the clause.

HOUSE OF LORDS.

Friday, March 14.

DISTILLERIES.] The Earl of *Darnley* presented a Petition from Belfast, complaining of the dearness and scarcity of grain, and praying the distilleries might be stopped. His lordship said he did not mean now to go into the subject, but he reserved to himself the right of bringing forward a motion respecting it at a future period, if he should deem it advisable. He must, however, repeat what he had before stated, that ministers had incurred a heavy responsibility in not stopping the distilleries early in the season. In having called the attention of the House to this most important subject, he could not but regret that he had not had the assistance of any of the peers who more immediately represented Ireland, who could have more satisfactorily detailed the general situation of that part of the United Kingdom.

The Earl of *Liverpool* protested against the doctrine of responsibility attaching to the executive government, for not interfering with regard to the subsistence of the people. If it was thought right that the distilleries should be stopped when grain reached a certain price, let it be so enacted by law, but nothing could be more unwise than to leave it to the discretion of the executive government, because with the most honest intentions the executive government was very liable upon such a subject to be misled. They would necessarily have various accounts from different quarters, in one part a good harvest, and in another a bad one; and nothing could be more mischievous than to leave it to the executive government to strike a balance between conflicting and opposite interests. He thought that in only one instance within his recollection, had the distilleries been rightly stopped, and that was in 1802, when one bad harvest followed another. He was of opinion that the wisest course of policy was, to leave the subsistence of the people entirely free, but as under the circumstances of the country a free trade in grain could not exist, the next best policy was to enact specific regulations, so that all parties interested might at once know what was to

follow if certain contingencies took place. But the most unwise and mischievous policy was to leave it to the discretion of the executive government to interfere with the subsistence of the people whenever they should deem it expedient, as such a system must necessarily be productive of more injury than good. With regard to Ireland, he was aware that much distress existed, but it was partial and local, and this formed a decided objection to a general measure, which would, under such circumstances, inevitably be mischievous in its effects.

The Earl of *Darnley*, while he agreed in the general principles stated by the noble earl, still thought that the information ought to be produced upon which ministers had come to the determination of not stopping the distilleries in Ireland, under the circumstances of distress which existed in that country, certainly to a considerable extent.

Ordered to lie on the table.

HOUSE OF COMMONS.

Friday, March 14.

NAVY ESTIMATES.] The House having resolved itself into a Committee of Supply, to which the Navy Estimates were referred,

Sir *G. Warrender* rose to move, that certain sums on account be granted to his majesty for defraying the Ordinary Expenses of the Navy. He proposed to take these sums on account, as in the present stage of the public business he could not give any general view. The navy estimates would be referred to the finance committee: and, after passing through, would be presented in a connected form to the House. He should then feel it his duty to enter into general statements, and afford every opportunity for a fair and full discussion of every detail. Before it was known, however, what the committee would do, such a discussion on the estimates would be premature. After the Easter-holydays, when the alterations and reductions proposed should be completed, he would be prepared to afford every explanation. At present he would pledge the committee to nothing, but would only move, "That a sum not exceeding 1,142,838*l.* 1*l.* 4*½d.* be granted to his majesty, for defraying the Ordinary Establishment of the Navy for six lunar months commencing the 1st day of January 1817."

Sir *M. W. Ridley* said, he did not approve of the system now adopted of voting money on account, as a greater sum was thus put at the disposal of ministers for one half the year, than they would afterwards be found to be entitled to; but under the present circumstances of the country he should not object to the motion before them. Though he had not succeeded in his motion on a former night for the reduction of the number of the lords of the admiralty, he trusted that subject would come under the consideration of the finance committee, and that they would give effect to that which he had proposed; If that did not happen, he should think it his duty at some future time to bring before the House the question of the propriety of at least curtailing the salaries of these officers. He had to state that he had received many statements from acting pursers, who complained of the hard situation in which they were now left. In 1816, he understood they had sent in a statement of their case to the admiralty, who ordered that they should send in their acting orders. They were accordingly sent in on the 1st of Jan. 1817, and notice was given that they were under consideration; but since that time no answer had been sent.

Admiral *Hope* said, that the case had already received the most mature consideration on the part of the admiralty. According to the old system, there were as many pursers as ships; but, as many ships (perhaps 3 or 400) had been broken up, it was deemed expedient to give half-pay to those who were thus discharged, but who once had been on the regular list of pursers. But the half-pay was never extended merely to acting pursers, who were clerks, who, happening to be in ships abroad, had been temporarily appointed to act as pursers, but had never been confirmed. These persons had certainly some claim on the country; but not more than midshipmen who had acted as lieutenants, of whom there were many under the same circumstances.

Mr. *Curwen* said, he had presented a petition from a person who had acted as a purser for two years, having been 20 years in the service, who was now left without any half-pay.

Admiral *Hope* said, there were many in the same situation. The admiralty had done all that was possible for them, appointing double clerks to every ship in commission, in order to employ them.

Sir *C. Pole* said, he believed the conduct of the admiralty had been liberal, and marked with attention to the case of these persons. He contended, that the standard of 1792 should be adopted in the formation of the estimates, and alluded to the office of assistant secretary of widows pensions as a newly-created officer. There was, he observed, an inequality between the regulations with respect to pensions in the navy and army. There was a widow of a captain Harvey, who had received a pension in 1794, which had not been increased up to this day, while the officers who lost their limbs at York Town with lord Cornwallis in the American war had their pensions raised to 250%, a year. As to the Breakwater at Plymouth, he thought at this time, when so many persons from the arsenal there were thrown out of employ, that great national work should be prosecuted with spirit. A small addition to the vote which was proposed for the purpose, would employ a great number of the poor. On the contrary, there seemed a disposition in the admiralty to slacken in the prosecution of this undertaking.

Mr. *Croker* admitted, that the estimates of 1792 should be taken as a standard in forming those for the present peace, and that when they were departed from, the burthen of proof lay on the government. On this ground he should be perfectly ready to rest the future discussion of the estimates. The different commissions of naval inquiry and of revision had suggested some departures from the establishment of 1792, which had been adopted on the reasons assigned by them. The assistant secretary of widows pensions was not a new appointment, but the salary had been paid out of the old stores, till it was lately thought proper to bring the office under the cognizance of parliament. The pensions in the army and navy would, as he should hereafter show, be found to be equal, comparing rank and dates. As to the Breakwater, it was not to be supposed that the admiralty, by whom that work was begun, and had been brought if not to a completion, to a state which showed the practicability of it, should now grow lukewarm as to that undertaking, which they might almost call their own.

Mr. *Lyttleton* said, that though the admiralty was in general sufficiently liberal, yet there was a point in the custom of that board rather deficient in that respect. There was required from every officer in the navy entitled to half pay, an oath that

he received no other emolument whatever from the government ; and if he could not take this oath, however small the sum he received from any other office, he was deprived of his half pay. This regulation was not established with respect to the army, and even if it had been, he should wish to see it removed, for a small office should not deprive the holder of the benefit of half pay, which was often hardly earned.

The vote was agreed to.

Sir *G. Warrender* then rose to move the vote for the extraordinary service of the navy. As to the Breakwater, whatever difference of opinion there had at first been respecting this work, the importance of it was now universally acknowledged, but it was to be recollected that it was not the only great work now prosecuted by the admiralty. There were works at sheer-ness of great national utility, which required considerable sums. The absolute immediate necessity of the Breakwater was less, as large fleets were not now kept up. In reducing the estimates to the lowest scale advisable in the present situation of the country, it was thought proper to make a proportionate diminution in all branches of expenditure which could be spared or deferred, and the sum to be expended on the Breakwater had consequently been reduced, but not in a greater proportion than other sums annually expended on other works. It was to be considered that the repair of ships was matter of absolute necessity. He concluded by moving, "That 780,759*l.* 4*s.* 7½*d.* be granted to his majesty for defraying this Extraordinary Establishment of the Navy for six lunar months, commencing the 1st of January 1817."

Sir *C. Pole* said, he had not heard any good reason for deferring a work of such national importance.

Admiral *Hope* observed, that it was not to be supposed that the sum of 40,000*l.*, which was to be expended in this year on the Breakwater would not pay for more work on it in this year than it would have done in the last. It would probably pay for near twice as much ; but it was necessary to reduce the sum expended on this work, when all others were subjected to reduction.

The vote was agreed to.

SEDITIONS MEETINGS BILL.] On the order of the day being read, for the third reading of the Bill for the more ef-

fectually preventing Seditious Meetings and Assemblies.

Sir *M. W. Ridley* opposed the motion, and stated, that, independent of his determined hostility to the bill in general, he yet more particularly objected to the preamble now affixed to it. When the House was called upon to vest extraordinary powers in the hands of his majesty's ministers, it was incumbent on the latter to lay strong grounds for such a proceeding. It was to be expected, that the facts on which they relied should be fully set forth in the preamble of their proposed measure ; and that no doubt should exist as to their correctness and authenticity. In the present instance, however, the preamble was a false and unsupported libel upon the character of the country ; and he would defy any of the right hon. gentlemen opposite to support the allegations it contained. It stated, that assemblies had been held in several parts of the country, under pretext of petitioning the sovereign and parliament, but were really to serve the purposes of factious persons, and to produce riots and disorders. But where were the proofs of those assertions? In what part of the island had that been the case? If he were to look to the numerous meetings held in every part of the country, it must be in the recollection of the House, that there was hardly a single instance wherein the members, presenting their petitions, did not speak of the good order that generally prevailed at them : and it was really too much, if one unfortunate instance had occurred of riot and disorder, that the whole country should be branded by one sweeping allegation of disloyalty and disaffection. Some symptoms of disorder might have appeared in part of the kingdom, but they arose solely from the pressure of distress, and not from any spirit of disaffection to the government. If he looked for proof of this allegation, even to the meeting at Spa-fields, which was unhappily the source of tumult and outrage, while he lamented the disgraceful scenes displayed in London on the 2d of December, he must still express his satisfaction, on perceiving that the laws then in existence had been sufficient to check the evil almost in its commencement, and to prevent any pernicious consequences. The hon. gentleman who presided over the city, assisted by an hon. alderman, a member of the House, had, as it were by their own personal exertions, stopped the career of riot, and dispersed

the authors of the tumult, almost without the interference of the military; and in so doing, they had merited the praise and gratitude of their fellow citizens; and had practically demonstrated the efficacy of the present laws, when duly executed. There appeared not the least desire among the people to evade or outrage the law of the country—and no where could he find a better proof of this disposition, than by referring to the unhappy scene that took place a few days since, and which was the dreadful consequence of the riots; and the forbearance and tranquillity exhibited by the people on that occasion was the more to be regarded, as the circumstance was one particularly calculated to agitate the minds of the populace. He did not mean to impute any blame to the government, for directing the law to be carried into execution—but he regretted that it was not more speedily acted upon—for, in that case, the example would have had a much stronger effect on the minds of the people; as they must all be aware, that the delay of punishing, after crime had been committed, while it led the guilty to entertain unfounded hopes of mercy, occasioned many, who would otherwise be deterred from the perpetration of offences, to conduct themselves in a criminal manner. He mentioned this case as one of the strongest that could be adduced, to prove that the people were ready to pay a due obedience to the law, as it now existed, if it were properly administered.—However much the fate of this unfortunate man affected their feelings, and although his execution was attended by numbers greater than had ever been collected on any previous similar occasion—yet no riot, no tumult took place, nothing beyond the bare expression of those emotions with which the scene impressed them, was observable. If they looked to the riots in the country, politics would be found to have had little to do with them. In Somersetshire, the disturbances were evidently occasioned by the distressed state of the people—and they were immediately put down by the activity of a single magistrate (an hon. bart., a member of that House, and whom he then saw in his place), whose conduct deserved the highest praise. This circumstance still farther showed, that the laws were sufficiently strong to guard against the danger of popular tumult, and did not demand any additional enactments. But he should be told, that instances might occur, in which

those additional powers would be found necessary. Who was to judge of those instances? A firm magistrate might conceive the present law quite sufficient; while one of a timorous nature would imagine, that stronger powers were necessary. Surely they must recollect, that the chief magistrate of a great town (Liverpool), filled with fear and apprehension, on account of what he saw at a former meeting, had refused to call the inhabitants together, although a regular requisition was numerous and respectably signed for that purpose. If the fears and apprehensions of magistrates were thus to outstep the bounds of reason and discretion—if they were to be allowed to put their *veto* on meetings legally demanded—if they were to interpose between the people and their representatives in that House—and if these new and extraordinary powers were to be given them in aid of such an object—the consequence would be, that the right of petitioning would become a nullity. He meant to say nothing of the particular magistrate, whose fears and apprehensions had carried him so far; but there were individuals who might think the enactments of this bill afforded them a very good opportunity to get rid of meetings altogether, as a proceeding pleasant and palatable to those whose political opinions they adopted. Such an extent of power (which might be found a very convenient instrument for the gratification of private feeling), should not be lightly placed in the hands of any set of men. At the present period of unexampled suffering, instead of closing the door against petitions, it ought to be thrown open as wide as possible. Some clauses of this bill appeared to him to be exceedingly objectionable. But, when he recollected the debate of the previous evening—when he recollected the able speech of his hon. and learned friend, which, for eloquence, for soundness of argument, and clearness of statement, could not be surpassed—when he recollected that, with all these combined powers, his hon. and learned friend found it impossible to bring the House to agree with him in his first resolution—the truth of which no man could deny—“that trade and commerce were in a state of unexampled distress,”—when he recollected this, he felt it was in vain for him to expect that attention would be paid to any observation which he might make on the measure before the House. Still, however, it was his duty

to state the objections he felt to particular clauses. He particularly deprecated the power which was given to magistrates to stop any person promulgating sentiments at a meeting, to which they might object. This clause rendered the people as little masters of their tongues, as far as the expression of public opinion went, as they were at present of their liberties. The bill also was partly permanent, partly temporary. Would it not be better to divide it into two bills?—a temporary one, for the prevention of seditious meetings,—a permanent one, as far as the Spencean principles were concerned—if such a measure could be of the least benefit. About 30 years ago, when the pamphlet of Mr. Spence was first promulgated, at Newcastle, he was member of a society called the Philosophical Society, which was established in that town. At their meetings each member, in rotation, read an essay of his own composition—and, according to the rules of the society, Mr. Spence, at one of their meetings, read, as his contribution, that paper which had created so much noise. It was not noticed by the society; but a few days afterwards, Mr. Spence thought proper to publish it, and the consequence was, that the society expelled him—and his conduct was so generally reprobated, that he was ultimately obliged to leave Newcastle. Nothing was heard of his plan for many years, until some months ago. He was desirous of stating these circumstances, in consequence of some remarks in an anonymous publication (the *Quarterly Review*), and in justice to the present Philosophical Society of Newcastle. The Society, of which Mr. Spence was a member, was one totally different from that now established in Newcastle, under the same title. Of the members of that Society he would say, that no individuals in England were more loyal, or were less inclined to countenance the wild fancies of Mr. Spence and his followers. As a proof of the correctness of their principles, he begged leave to state one fact:—A few months ago, the person who acted as the librarian of that Society, published one of the most indecent and blasphemous parodies on the Liturgy of the Church of England that could be imagined. But, the moment he was discovered to be the author of it, he was removed from his situation, by the unanimous vote of the Society. So much he felt himself bound to say, in defence of the character of that respectable body.—

To return to the bill now before the House, he felt it his duty to oppose its passing into a law, containing, as it did, so many unjustifiable provisions, wholly uncalled for by the existing circumstances of the country. He had heard of the rise in the price of the funds being ascribed, in another place, to the suspension of the Habeas Corpus act; and he presumed that the improvement was expected to be promoted by the enactment of the present bill; but even though that should be the fact, he should be sorry to see it take place, at the expense of the liberties of the country. On these different grounds he should propose, as an amendment, to leave out the word “now,” and insert after the words “be read a third time,” the words “this day six months.”

Sir J. C. Hippisley rose to correct a misapprehension in the last speaker. The disturbances in Somersetshire did not arise from any pressure of poverty, for the larger number of the persons engaged in them, were in full work; and he had every reason to believe, that they were induced to revolt from their employers and their country, by the dissemination of mischievous publications, many of which he knew had been circulated among them, and were found on their persons. At the same time, he was warranted in saying, that, taken as a mass, there was not a more loyal population in the country than the inhabitants of Somersetshire.

Mr. William Smith contended, that the remedy provided by this bill went far beyond the necessity of the case. The reports of the two Houses he considered as the pillars upon which it rested; and as that of the committee of the other House had been laid on their table, he might be allowed to refer to it. He observed, that it accused those persons who supported the principle of universal suffrage of a design to subvert the British constitution. It appeared to him, that this was to charge these persons with a very heinous crime; and that it ought not, therefore, to have been advanced on slight grounds. He believed it to be an accusation, the truth of which it was impossible for the committee to prove. Several different towns and cities were named, as places in which this design was supposed to be entertained; and amongst others, Norwich, the city which he had the honour to represent, was included. He felt it to be his duty to his constituents, and to the country at large, to repel assertions which were so well cal-

culated to create alarm and confusion, coming as they did from such high authority. It was evident that pains had been taken to connect the two offences of blasphemy and sedition, and to represent them as combined and disguised under the cause and principles of reform. Upon this subject he had a very singular letter in his possession, which he had received from a respectable individual at Norwich, and which might, perhaps, explain the reason of that town having engaged the attention of the committee. This letter, with the permission of the House he would read. It was as follows:

"I sit down to answer that part of thy letter which relates to the subject of reform. The mention made of Norwich, in the report of the Secret Committee, has occasioned a little investigation—the result of which is as follows:—A few days before the meeting of the society a handbill was distributed, containing a blasphemous parody of the *Nicene Creed*—which was sent up to lord Sidmouth, as a specimen of the sentiments here. I understand it came out about 20 or 25 years ago, amongst the Jacobins with whom——then associated.—[Mr. Smith here observed, that he had the name before him, but he did not wish to mention it.]—It slept ever since, till it was published a short time ago, with names altered, to suit the present period; but not by the desire or direction of any political party, society, club, or body of individuals whatsoever. It was the spontaneous speculation of a starving printer, a well known advocate of the court party, who hoped, by that means, to put a penny in his pocket—and he fully confessed the whole matter to me. It was not exhibited or sold in shops—but was hawked about by persons in his employ. The circulation was stopped soon after its appearance—so that it can, in no degree, represent the religious or political state of Norwich. But I think its having been sent up to lord Sidmouth was the probable reason of such honourable mention being made of Norwich in the report of the Secret Committee."

He would leave the House to judge, therefore, in what degree this hand bill could be considered as a proof of the religious or political sentiments of the people of Norwich. Yet, upon no other grounds, as he firmly believed, than the transmission of that paper to lord Sidmouth, was Norwich introduced into the report as one of the places where disaffec-

tion prevailed. He should not think it necessary to enter into any vindication of the Union Society at Norwich, with whose innocence, as to any unconstitutional or revolutionary designs, he was perfectly acquainted. One word more, however, he would say with respect to the man by whom the blasphemous paper was circulated. It was known, that since he had had the honour of being connected with Norwich he had stood many contested elections; it was also known that he had never come in upon what was called the government interest, but upon the opposition. Now he had taken the trouble to look into all the poll books for those elections, and he had found the name of that man voting against him upon every election, and giving his support to the ministerial candidate. He would not tell the attorney-general his name, but if he found him out, he had no objection to appear upon his trial, and state that fact in mitigation of punishment.

The hon. member then adverted to that tergiversation of principle which the career of political individuals so often presented. He was far from supposing, that a man who set out in life with the profession of certain sentiments, was bound to conclude life with them. He thought there might be many occasions in which a change of opinion, when that change was unattended by any personal advantages, might be the result of sincere conviction. But what he most detested, what most filled him with disgust, was the settled, determined malignity of a renegado. He had read in a publication (the *Quarterly Review*), certainly entitled to much respect from its general literary excellences, though he differed from it in its principles, a passage alluding to the recent disturbances, which passage was as follows:

"When the man of free opinions commences professor of moral and political philosophy for the benefit of the public—the fables of old credulity are then verified—his very breath becomes venomous, and every page which he sends abroad carries with it poison to the unsuspecting reader. We have shown, on a former occasion, how men of this description are acting upon the public, and have explained in what manner a large part of the people have been prepared for the virus with which they inoculate them. The dangers arising from such a state of things are

are now fully apparent, and the designs of the incendiaries, which have for some years been proclaimed so plainly, that they ought, long ere this, to have been prevented, are now manifested by overt acts."

With the permission of the House, he would read an extract from a poem recently published, to which, he supposed the above writer alluded (or at least to productions of a similar kind), as constituting a part of the virus with which the public mind had been infected :

" My brethren, these are truths and weighty ones :

Ye are all equal; nature made ye so.
Equality is your birthright;—when I gaze
On the proud palace, and behold one man,
In the blood-purpled robes of royalty,
Feasting at ease, and lording over millions;
Then turn me to the hut of poverty,
And see the wretched labourer, worn with
toil,

Divide his scanty morsel with his infants,
I sicken, and indignant at the sight,
' Blush for the patience of humanity.' "

He could read many other passages from these works equally strong on both sides; but, if they were written by the same person, he should like to know from the hon. and learned gentleman opposite, why no proceedings had been instituted against the author. The poem " Wat Tyler," appeared to him to be the most seditious book that was ever written; its author did not stop short of exhorting to general anarchy; he vilified kings, priests, and nobles, and was for universal suffrage and perfect equality. The Spencean plan could not be compared with it; that miserable and ridiculous performance did not attempt to employ any arguments; but the author of Wat Tyler constantly appealed to the passions, and in a style which the author, at that time, he supposed, conceived to be eloquence. Why, then, had not those who thought it necessary to suspend the Habeas Corpus act taken notice of this poem? Why had not they discovered the author of that seditious publication, and visited him with the penalties of the law? The work was not published secretly, it was not handed about in the darkness of night, but openly and publicly sold in the face of day. It was at this time to be purchased at almost every bookseller's shop in London: it was now exposed for sale in a bookseller's shop in Pall-mall, who styled himself bookseller to one or two of the royal family. He borrowed the copy, from which he had just

read the extract, from an hon. friend of his, who bought it in the usual way; and, therefore he supposed there could be no difficulty in finding out the party that wrote it. He had heard, that when a man of the name of Winterbottom was some years ago confined in Newgate, the manuscript had been sent to him, with liberty to print it for his own advantage, if he thought proper; but that man, it appeared did not like to risk the publication; and, therefore, it was now first issued into the world. It must remain with the government, and their legal advisers, to take what steps they might deem most advisable to repress this seditious work, and punish its author. In bringing it under the notice of the House, he had merely spoken in defence of his constituents, who had been most grossly calumniated; and he thought that what he had said would go very far to exculpate them. But he wished to take this bull by the horns.

Much had been said on the existence of a Hampden club in London, but what were the names of some of the persons who belonged to the Hampden Society? One of them was major Cartwright; another was a very respectable man, an officer in his majesty's government, a very near neighbour of his in the country; another, who was also his neighbour, was descended from one of the oldest families in England, and possessed about 10,000*l.* a year landed property. This club so constituted, was known to many of his Norwich constituents, who sent up two or three delegates to attend a meeting in London: but he had no hesitation in saying, that when those persons came up to the club and did not find those gentlemen whom they knew and expected, they turned on their heels and went home. This was the only ground on which his constituents at Norwich had been mentioned in the report; and he would now ask the House, whether they had not been most unjustly dealt with? With respect to the bill before the House, its penalties were wholly disproportionate to the offences its authors wished to prevent. He had the authority of his right hon. and learned friend who sat near him for saying, that all he saw in the committee did not warrant the measure before the House; and therefore, he should vote for his hon. friend's amendment, for the purpose of postponing the further consideration of the bill.

Mr. Wynn said, he had already expressed his assent to the measure now before the

House, and he had heard nothing, during the present debate, that could induce him to alter his opinion. Indeed much of what had been offered, did not bear at all on the question. The hon. member who spoke last, had thought fit—in order to divert the attention of the House from the serious consideration of an important subject—to amuse them with a criticism on two anonymous works—two works which, though they did not bear the name of any author, were, he believed, as the hon. member had insinuated, the productions of the same hand. But, was it liberal—was it fair—was it manly—on an occasion like the present, to introduce an extract from *The Quarterly Review*, and a trifling poem, to the notice of the House? What had they to do with the question before the House, or with the hon. member's constituents at Norwich? He (Mr. Wynn) had been for many years, intimate with the gentleman (Mr. Southey) who had thus been attacked; and from that intimacy he had derived, and did still derive, the utmost pleasure.—The hon. gentleman, in his opinion, had acted with some degree of irregularity in dragging him before the House, without his knowledge, and, consequently, without his consent. True it was, that the poem alluded to was written by him at the early age of nineteen. It was intended for publication; but the author had listened to the better advice of his friends, and it did not appear. What became of the manuscript he was perfectly unconscious of, until he saw the work printed. Was it fair, then, he asked, was it manly, to arraign this gentleman with such severity? What was put into the mouth of the person introduced in the poem was, in point of historical accuracy, very correct. But, was it just that these sentiments should be quoted as the opinion of him who produced the work? Was it fit—was it just—to say, that because at the age of nineteen—at an era when the heat of politics affected most men—he was betrayed into the composition of a poem which he afterwards disapproved, that, therefore he was to be reproached all the rest of his life, as a man without principle? Was he, because he had altered certain opinions, to be condemned for ever?—Neither to his former opinions, nor to all his opinions now, did he subscribe. But this should be observed, that he maintained his opinions by argument—and by argument they ought to be answered. He

thought there were public methods by which controversy might be carried on with more justice, and with more advantage, than by personal reflections on an individual, in a place where that individual could not be present to make his defence [Hear, hear!].

Mr. *W. Smith*, in explanation, said, that the hon. gentleman must have totally forgotten his observation, or he would not have made the remarks he had offered. He had distinctly said, in effect—"God forbid I should say that any man ought to be blamed for a fair change of opinion; but I censure those who, having changed their opinions, conceive that no severity of language is too strong to be made use of against those who still adhered to their former sentiments."

Mr. *Wynn* did not understand the hon. member to have used any such language. He conceived him to have thrown out severe and unjust censure on those who had receded from a particular set of opinions.

Lord *William Russell* felt himself called upon to say a few words on the present occasion, and he confessed it was with some surprise he heard his hon. friend accused of introducing irrelevant matter. He thought his hon. friend had kept as close as any man possibly could do to the question before the House, and that he had argued the question on the fairest grounds. He was firmly persuaded there had been no case made out to justify the extraordinary provisions which the legislature were adopting, and he, for one, could not consent to surrender the liberties of his country, even to his nearest and dearest friend, on such loose assertions as the report of the secret committee contained, a report, which was evidently composed of *ex parte* evidence. He had been told in the report, that the morals of the country were endangered by the publication of blasphemous hand-bills and pamphlets, but he would ask where in such a case were the law officers, and why did they not execute those powers with which their country entrusted them? for surely had they discharged their duty, as the country had a right to expect they should have done, such was the moral and religious feeling of the country, that no doubt a jury would instantly have convicted the offender. Allusion had been made to certain districts of the country, which were said to be friendly to riotous measures, but it surely would have been highly pro-

per to have placed the members for these districts on the committee of secrecy, as from local knowledge, they must be qualified to put that committee in full possession of facts. If disturbance really existed, he confessed the remedy seemed desperate. He was not a young member of parliament. He had sat in that House many years; and he felt great pleasure in declaring, that he had never before seen so desperate a remedy applied to the wretchedness and distress of the country. The rights of the people, for the protection of which all governments should exist, were trampled under foot and despotism prevailed. It was impossible for the country to part with more liberty if it at all was meant to continue it in existence. Let them look to the circumstances under which at any former period the Habeas Corpus act and that glorious privilege of Englishmen, the trial by jury, had been suspended, and then ask themselves whether the adoption of similar measures was warranted by the present state of England. The circumstances of 1688 were widely different from the present, for then, the people had the privilege of meeting and discussing their rights, but now they were deprived of that blessing, and prevented from meeting under the pain of death. In 1699, when the suspension took place, there was cause to justify its taking place, when it was recollected how active the exiled sovereign was to recover the throne he had abdicated, and how irritated the Scottish nation were in consequence of the massacre of Glencoe. In 1715, it was equally necessary, when it was recollected, that the country had at that time been threatened by invasion from France, for the purpose of recovering the throne for the enterprising young pretender, and that there existed a rebellion at home. Besides, the then reigning monarch had only recently come to the throne, and had not as yet been rooted in the heart of his subjects. But certainly there existed no analogy between these times and the present. The lord advocate of Scotland had told the House that the plot in Glasgow existed so long back as November, and if this was the case, one might ask, with great justice, what had ministers been doing, and why had they indulged such criminal negligence? Why had they not met parliament sooner, and taken the advice of that branch of the constitution, instead of acting as they had unfortunately done for the country? Their criminal

negligence and ignorance ought not to pass unnoticed; and least of all should the representatives of the people consent to surrender their liberties. Entertaining a decided opinion, that there was no foundation for the report of the committee, he should support the amendment of his hon. friend.

Mr. *Finlay* was deeply convinced of the necessity and propriety of the measures proposed by ministers, when he considered the great mischief which the meetings lately held in the country had produced. The country had a right to expect that ministers should take some effectual measures at a crisis so important as the present, and they had accordingly taken these measures. Unwilling as he or any British subject must be to relinquish any part of that glorious liberty which had been transmitted to us by our memorable ancestors, he still thought it was much better to give up for a time a share of that liberty, than run the danger of losing all. He would rather trust his majesty's ministers with the liberties of the people than he would trust those who were endeavouring to set the country in a flame. He could say, with respect to Glasgow, which he had the honour of representing, that the report of the committee was not overcharged, for there existed plots there; but he certainly felt it his duty to say, in contradiction to the recent assertion of the learned lord advocate, who must have been misinformed on the subject, that there were no persons of rank concerned in these plots, as there were none but those of the lowest class. There was not in his majesty's dominions a class of men more loyal than the inhabitants of Glasgow as a whole, and he believed the disaffection had been produced by the low, miserable state of the wages given for labour, which had afforded an opportunity to the designing to operate on the distressed. In this bill there was nothing to prevent meetings from being held provided certain regulations calculated for securing the public peace were obeyed. He thought where a magistrate apprehended that there was likely to be danger from a great concourse of people, he acted very right in declining to call a meeting. He lamented the necessity of such measures, but considering them to be indispensable, he felt himself bound to give them his support.

Sir *Samuel Romilly* expected to have heard some gentleman on the other side

state the grounds on which they meant to support the bill; but he found they were content to have it passed with as little observation as possible, in a house much thinner than any in which a measure of such importance ought to be discussed. He should not, however, be deterred by this circumstance from stating his opinions. He considered the meetings of the people as one of the most important parts of our constitution. It was owing to these meetings that Englishmen possessed the high character they had acquired above all other people in the world. It was owing to this privilege that they entertained so warm an affection to the government and constitution of the country; and it was impossible to restrain the expression of public opinion, without diminishing that attachment to the constitution, and taking away that affection to the government, which was one of the noblest characteristics of the people. These public meetings had often produced the greatest benefits to the country. What, he would ask, had prevented ministers from renewing the property tax? If it had not been for the public expression without the doors of that House, that most oppressive and vexatious tax would have been superadded to the present great and almost intolerable burthens. And what had obliged the king of France to discontinue the abominable African slave trade? The treaty of 1814 was another proof of what the public voice could accomplish. It was the popular expression out of doors, which extended the laws of humanity and justice to the farthest quarters of the globe. Let the House recall that glorious circumstance to their recollection; let them remember, that it was not the representatives of the people, but the people themselves, out of doors, who compelled the French government to give up that odious traffic. The House was not then acting upon the confidence they reposed in the secret committee, whose report was said to be founded on secret evidence. The question before them was, what had been the evil of public meetings, what the danger of private societies; of oaths that had been administered, of writings that had been circulated? Now, in order to form an opinion on this question, they had all the same means of judging as the secret committee. Were not all the proceedings of these meetings published in all the journals, and circulated through the country? Had not every member, therefore, an opportunity

of ascertaining what had passed at those meetings, and what resolutions the people had passed? And what was the danger? Meetings had been held in every part of the country; but no where was there any disturbance, except, in one solitary instance, in the metropolis. It was true, that a disposition to tumult would always exist among the poorer classes whenever they were pressed with any great distress. Their situation was then so bad, that it could not be worse; and they were ignorant enough to think, that by tumult they might render it better. A disposition to tumult also often existed in the heats that were occasioned by misled religious enthusiasm. But though the present distress exceeded all bounds—though in many instances it had driven the sufferers to the commission of felonies, and other breaches of the laws, yet at none of the meetings that had been called had any tumult arisen. Whether this peaceable demeanour was a consequence of the general diffusion of knowledge, or of any other cause, he would not decide: but the fact was, that there had been no tumult at any of the meetings called on the subject of parliamentary reform, or other subjects. In the first assembly at Spa-fields there had been some acts of violence, such as were often committed in a great metropolis; but it was very doubtful if they were connected with the object of that meeting. At the second meeting, it appeared, that there were persons desirous of exciting tumult, and who had absolutely reckoned on the possibility of disorder; but so falsely had they reasoned—so ill had they calculated, that though the greatest excitements were held out—though flags were displayed and leaders offered, they could only inveigle a few miserable wretches to follow them; and in vain attempted a general insurrection. He did not mean to say that meetings on those occasions were harmless, or that no restraint ought to be laid upon such assemblies; in fact, he thought, that obscure persons should not be permitted to call meetings for the purpose of taking the chance of whatever might result from them. He agreed with the bill in this respect, that seven householders at least should be requisite to call a meeting: he might have thought, that even a greater number might have been named; and if farther it had been ordered, that these meetings should not be adjourned from time to time, to the terror of the peaceably disposed persons, he should

have had no objection. But what did this bill effect in the main? Instead of calming, it seemed as if calculated to provoke and inflame the people. It provided, that if seven householders should call a meeting by notice, and inadvertently let it appear that they called it for the purpose of effecting a change in the government, the magistrates were not to prevent such meeting, they were to suffer the people to come together, and then, after an hour had elapsed, the justice of peace, who beforehand had seen that it was an illegal meeting, was to disperse the assembly, and that with the terrible power of inflicting death, if the dissolution did not take place instantaneously. The second provision enacted, that any one magistrate should attend, and as soon as he heard any thing likely to excite hatred or discontent towards his majesty's government (a learned sergeant had said, as soon as he believed there was an intention of that nature), he might proceed to take into custody the individual that attracted his notice; and if that person, perhaps some inflamed and misguided individual, made any resistance; and if the people did not instantaneously disperse, they were to incur the fearful penalty of death. Now this, he maintained, was a deliberate cruelty, to permit a meeting of this nature, and after the parties were heated past the power of reflection, to consign to the punishment inflicted on the most grievous and deliberate offences, individuals who were perhaps called together and met in the vain but anxious hope of procuring by a petition immediate relief from parliament for all their distresses; little thinking, perhaps, that parliament would on that subject pass to the order of the day. The noble lord had said that this bill contained no more than what was the law already—that a justice of peace, if he heard any thing seditious uttered, might take the party offending into custody. If that was the law he could only say, that a similar bill passed when some of the most distinguished men who ever sat in that House were present, (Mr. Pitt, Mr. Fox, Mr. Sheridan, the present lord chancellor, the late Irish lord chancellor, the master of the Rolls, and other individuals of the highest eminence), and so extensive was the innovation then deemed, that it called forth the most anxious discussion; and was considered one of the most important measures that had ever passed through the House; and was very far from being regarded with the apa-

thy which seemed to attend it at present. The bill itself was most curiously framed: there was one clause which pointed out what the duty of magistrates should be on these occasions, and never had there appeared such a master-piece of legislation: "Every justice of peace is hereby authorized to do all that which he is authorized to do," all that which by law he was otherwise enabled to do; so that the unfortunate magistrate who looked to this act for his instructions, would find them rather indefinite—"that he had power to do what he had power to do." It might be said, that a former act contained the same words: but if mischief ensued from this want of precision, it could be no justification that the same expression existed in an act passed twenty-one years ago. But it was because this act pointed out too clearly what magistrates were encouraged to do, that he must altogether refuse it his support; for although persons assembled together above the number of twelve had been under former acts liable to severe punishment if they failed to disperse on a momentary summons, yet he could not esteem that any foundation on which the present measure could rest with propriety. It had been said on a former occasion, that this act was copied from the riot act, and the riot act had been held up as an established and constitutional law. It was possible that act might have produced good effects, though this was exceedingly doubtful; but the present act did not in any way proceed on the riot act, for that was directed against those who had been already criminal—who, after an actual breach of the peace, were still riotously assembled. That was an offence for which they might have been legally indicted before the act passed. He desired not to be understood as making an attack on the riot act. The solicitor-general had stated, that that act had been found exceedingly useful, inasmuch as no person had ever been executed under it. Indeed, it might be considered to have had excellent effects, if it had ever prevented riots; but since that act, and as if in defiance of it, we had seen the most dangerous riots that ever had existed since the time of Charles 1st, and in which the act had been altogether inefficient. In the year 1780, the riot act was not even read—not from any apathy on the part of the magistrates, but because the riots were so formidable that it had been vain to attempt the reading, and even the terror of the act was absolutely

null. Indeed, for the most part, people never knew whether the act was read or not, the reader being inaudible in the tumult, whenever the reading was rendered necessary; so that any established signal which could speak to the eyes would be in all cases more effectual. Again, the riots at Birmingham, in 1793, lasted a fortnight or three weeks in defiance of the riot act, and with unrestrained control. The reason, therefore, given by the solicitor-general, to show that the act had been useful, namely, that no person had been executed under it, was altogether fallacious: for the hon. and learned gentleman meant to infer from thence, that the act had succeeded in preventing or dispersing meetings in time, and to obviate the occurrence of violence and the consequent necessity of punishment, which had notoriously not been the case. But, at all events, that act was no authority for inflicting so severe and cruel a punishment on parties engaged in popular assemblies as was now proposed. Besides, the penalties inflicted by the riot act were worse than nugatory; for we knew that unless juries were constituted very differently from what they were at present and ferocious prosecutors arose such as never had existed, the punishments menaced would never be carried into execution. As far as the Spenceans were concerned, the bill was all in vain. The poorer orders of the people had, if possible, the greatest interest in the security and inequality of property. However they might partially and for a time, be blinded to the knowledge of this incontrovertible truth, by ignorant and presumptuous enthusiasts, the certainty of it must, in the long run, be brought home to their conviction. But they could only be taught this by reason; and the more extensively they came to be educated, the more they would gain a chance of weighing the productions of enlightened men against the unmeaning nonsense with which it was sometimes attempted to mislead their understanding: but if they did not arrive at the perception of this great truth by reason, they could be no more taught it by force than a fortified town could be taken by syllogisms. He would say with the noble lord whose ancestors had acquired immortal glory by the exertions and fortitude they had displayed in defending the constitution of the country that we had parted with enough of our liberties already; and there never was a time when those liberties were more valuable or more necessary. After the lives

we had spent, the treasure we had exhausted, and the protracted sufferings we had endured,—after we had attained all the objects for which it now appeared this glorious war had been commenced, we had relinquished personal security, in giving up our Habeas Corpus act, and boasted trial by jury—we found our manufacturers starving, and our revenue unequal to our expenditure—we had forfeited our ancient character for hospitality in a peace alien bill, which submitted every foreigner, who might visit the country, from motives of traffic or curiosity, to the caprice of a few individuals,—and lastly, we were called on to stop the meetings of the people, and deprive them even of the consolation of complaint.

Mr. Bathurst reminded the House that the principles and designs of the Spenceans, however it might now be attempted to represent them as too insignificant to call forth any feeling other than contempt, had appeared of sufficient importance in the year 1801 to demand the vigilant attention of parliament. These societies had been put down by the bills formerly brought in, to check practices similar to those which had lately prevailed; they had lain dormant for some years, and had at length recently revived, and been called into active operation. Under these circumstances, he could not but think the measures which had proved effectual to repress them before, ought again to be resorted to now. Those gentlemen deceived themselves who believed the doctrines of the Spenceans to be wholly speculative. He was satisfied that they entertained the hope of reducing their absurd theory to practice, and that they aimed at nothing less than the confiscation of the property of the country. They were the projectors of the late attempts at insurrection, with which it was seen they had ventured to connect the symbols of the French Revolution. These persons carried their ideas on the propriety of changing the order of things further than ever Paine had done; for he had but contended, that the people were entitled to political rights which were withheld from them; he had never gone so far as to assert those natural rights which were claimed by the Spenceans, and which involved a general division of property. The observations which had fallen from the hon. member for Norwich, he did not consider applicable to the bill now under the consideration of the House. It was natural

that the hon. gentleman should wish to defend his constituents when he thought they were aspersed; but that of which he had complained, was contained in a report made by a committee of the other House, for which the House of Commons could not be responsible. In that report, however Norwich had only been mentioned as one of the places where doctrines of a dangerous tendency were professed; and the noble persons who made that report had so qualified what they had felt themselves called upon to say on that subject, that they had done no more than represent certain clubs to have been held at Norwich, in which the persons there assembled, while professing to meet to discuss the expediency of a reform in parliament, in reality meditated the overthrow of the constitution. This was substantially what was stated in the report, but the people of Norwich had not been accused generally of sending forth, or of countenancing, blasphemous or seditious publications. Such a charge however the hon. gentleman seemed to think had been preferred by the secret committee, but, as he had already said, it was of associations hostile to the existing order of things that they had spoken in their report, and not of blasphemous, seditious, or indecent publications. The statement therefore which had actually been made, was not affected by that of the hon. gentleman's correspondent. Unless his memory failed him, that parody on the Nicene Creed, which had been mentioned, though it had been sent up as having been circulated about Norwich, was not said to have been traced to the societies of which he had had occasion to speak. He was confident that what had appeared in the report was not at all founded on the parody; for he firmly believed that production had never been laid before the committee. It was however well known, that that publication had been circulated with great industry through all parts of the country.

The true ground on which the bill before the House was to be justified, he took to be this, that it left the people free to express their sentiments on all public affairs in a constitutional way. He would put it to all who heard him, if after the passing of this act, there would be anything to prevent the people from expressing their opinions in a regular way on all topics connected with politics, as freely as ever? Those meetings called in a constitutional manner by the proper con-

stituted authorities, would be wholly untouched by this bill. This could not be denied, and indeed this very circumstance had been made a matter of charge against his noble friend. It had been asked, since such a measure was resorted to at all, why were meetings like those to which he had just alluded, to be left untouched? The answer was plain and obvious—because they were known to the constitution. Such meetings would be as free as ever from restraint. They would of course be subject to the interference of the magistrates in the event of any disturbance taking place. They would be subject to the riot act, and to the common law of the land; but they would not be affected by this bill. But it was said, where was the necessity for this bill? The meetings held all over the country, it was asserted, had not led to public disorders. On this subject the hon. and learned gentleman who spoke last had said every member of that House was as competent to judge as the members of the secret committee could be, since the whole of the proceedings at such meetings were constantly laid before the public in the newspapers. The hon. gentleman opposite might know enough of what was passing in different parts to go into a discussion on this subject; but nothing known from the reports of the proceedings at public meetings could make him content to lose that ground while arguing on this measure, on which he thought those who defended it had a right to stand, the report of the committee of secrecy. The reports which had been unanimously made to the two Houses he could confidently assert (and in this he was borne out by the description given by a noble lord of the state of that part of the country from which he came) had understated rather than overstated the dangers which menaced the nation. This had been admitted by one hon. gentleman opposite, and had been further corroborated by the testimony of another hon. gentleman, who had but just arrived from the country, where he resided.

With respect to what had been said of its having been in the power of government to adopt precautionary measures which might have prevented the disturbances which followed the public meetings held in the vicinity of the metropolis, he had to reply, that those who contended ministers, with the intelligence they had received, ought to have interfered sooner, assumed them to have possessed that in-

formation before the trials of the rioters took place, which in truth they did not obtain till after they were over. Because in the reports the subject had been historically arranged with the dates at which the several occurrences had taken place; it had been supposed that at those dates government was apprized of what was passing. It had therefore been said, "If such and such things were known in October or November why were not measures taken to guard against consequences like those which had ensued?" "Oh," it was said, "possessed of such information, why, if parliament was not sitting at the time, why did you not immediately advise the Prince Regent to call them together, why did you put off the meeting of parliament till after Christmas?" This was very easily said; but what was thus recommended, could not so easily have been done. That intelligence which they were blamed for not having communicated to parliament before Christmas, they themselves had not received till the month of January was far advanced. It was therefore impossible for them to have called parliament together to take this subject into their consideration sooner than they had done. It was known, indeed, that there had been a riot, but the combinations which existed throughout the country had not then been discovered, nor had the connexion between these and the Spa-fields meetings been ascertained. The same thing might be said with respect to what had occurred in Scotland. Nothing had appeared of an alarmingly seditious nature, in the periods which had been referred to; much less had that dangerous oath transpired which had been produced to the committee. It was true some disturbances had broken out in Brecknockshire and other places, but these were supposed to have been occasioned by a want of employment, and by the general pressure of the times. Their true character was not known till a much later date, when they were discovered to wear a very different complexion from that which they had at first assumed. It was then that the Spencean partition of property; the annihilation of the national debt; and the breaking up of the public funds were discovered to be the changes which the conspirators really contemplated, and which they afterwards attempted to carry into execution by calling meetings to consider of a parliamentary reform, with a view of inducing those who attended them, to turn to other objects, and become the instru-

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ments of their treasonable designs. The failure of the attempt, did not prove that such practices ought not to be guarded against by additional measures of precaution.

Those gentlemen opposite who gave the committee credit for understating the danger of the case, rather than overstating it, would bear in mind, that even in that report it was stated that the failure of the plot had not caused the conspirators to abandon their designs. On positive evidence they had advanced this assertion, and they had declared their belief that the same parties were ready to attempt the same thing again. Why, he would ask, should those who viewed what had already taken place with horror, wish that the country should run the risk of the next effort at insurrection being more successful than the last? The hon. and learned gentleman opposite, did not think we were in that state of perfect safety, that no risk would be run if parliament were not to interfere on the present occasion. He did not think that any persons ought to be allowed to call public meetings when they pleased, on any subject connected with politics, and whenever they thought proper to assemble a multitude. He (sir S. Romilly) objected to these things; he thought the intervention of parliament necessary to a certain extent, but the present bill, he contended, was not called for by the occasion. He (Mr. Bathurst) did not suppose there was any danger of the government being overturned in a single night, but as danger was admitted to exist, and as the extent of it could not be precisely defined, he thought the hon. and learned gentleman, when he objected to this measure, was bound to show some mode short of that which was now proposed, by which the evil could be met, without having recourse to the severity complained of in the present bill. When an orator addressed the mob from the hustings or other place from which those who took the lead in these popular meetings usually spoke; when such a person should excite the multitude to acts of outrage and plunder, he wished to know what but a law like that now in contemplation, could effectually check the evil, and with whom but the magistracy of the country could, a discretionary power to disperse such an assembly be safely entrusted?

As to the character of the individuals who took the lead on such occasions, he had to observe, that it was not what they

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were in themselves, but what they became in haranguing these tumultuary meetings, that made the provisions, contained in the present bill, necessary to put them down. There was a great difference between the importance which belonged to one of these men, when alone, and that which was attached to him when he found himself at the head of ten or twenty thousand persons, whom his voice might, in a moment, excite to riot and plunder; and means must be taken to enforce the law in one case, which were not called for in the other. Prevention was better than cure, and it was therefore obviously the best policy to endeavour to preserve the public peace by strong prohibitory penalties.—For the danger to be apprehended from these societies, it was to be remembered, that it had been stated, in the report of the committee, that designing men, professing but to wish for a reform in parliament, were anxious to take advantage of the present distress, to inflame the minds of the people, in furtherance of their ultimate object, which was nothing less than a revolution. This they were justified in assuming, if they might be allowed to stand by the report of the committee. No answer was given to such a statement by the assertion that many persons had innocently attended these meetings. The report owned that this was the fact; but it added, that it but too often happened, the minds of these persons were perverted by others, and they were induced to become the instruments of the disaffected.

It was said, that the report cast an unfounded imputation on the conduct of the people generally, and that those that sought a constitutional reform, were confounded with those who wished for a revolution. The report, however, while it called for a measure like that now before the House, had described the great majority of the people to be sound, though it had to lament, that many had been seduced to lend themselves to favour the views of designing men. Out of doors it was generally felt, that the course now taken by parliament, was for the benefit of the people; and public confidence had revived since the Houses had met, and adopted those measures to afford them protection, which the loyal and well-disposed had a right to expect. But it had been said, that the provisions for dispersing rioters, contained in the bill, were too strong for the occasion. The terrors of this severity, it was found by expe-

rience, had produced the most salutary effects, and the riot act had had the merit of making it unnecessary to institute any prosecutions under it. The hon. and learned gentleman had argued against the riot act from its supposed inefficiency in 1780. Unfortunately, at that period, (principally through the remissness of the magistrates of the city), popular tumults rose to a great height; the mob destroyed the Catholic chapels, and committed many other outrages, and it was found impossible to read the riot act; at least it must be felt, when the whole of the streets, leading from that House to Guildhall, were filled with people, as many could remember was the case; that to read the riot act at Westminster, unless it could be heard at Guildhall, would be useless. This, however, was no argument against its efficacy; and the principles of the bill now before the House, were the same as those of the riot act, though the circumstances contemplated, as likely to call for their application, might be different.

It had been said, that the bill was unnecessary, as meetings in favour of a parliamentary reform had been held in many places, where those attending them had peaceably separated; and that, in fact, no disturbances of any moment had occurred, with the exception of those connected with the proceedings in Spa-fields. In answer to such arguments, however, it might fairly be asked, how it had happened, that, in different parts of the country, the Bank and the Tower were expected to be taken, as the consequence of the second meeting at that place, which actually had led to an attempt at insurrection. How were these expectations excited? and how were these things so connected with a parliamentary reform, as to account for that disappointment, which had been openly avowed when news arrived that the riots had been suppressed? These things had been proved in the committee; and it had appeared, that the meetings which had previously taken place, had been quiet, in obedience to directions which they had received, as they had been cautioned to abstain from all disorders, and to remain tranquil till the successful outrages in the metropolis should give the signal for them to march to London. This was the plan, part of which it had been attempted to carry into execution. The hon. and learned gentleman had ridiculed one clause of the bill, as he contended it went “to impower the

magistrates to do, what they were empowered to do." The clause alluded to, was intended to enable magistrates to attend public meetings in their vicinity, though they might not be within their ordinary jurisdiction, and to authorize them to act there, as they were authorized to act in their own district. This enactment was analogous to one, empowering a justice of the peace in one county, to exercise the same functions in another. To enable them to act with effect in such cases, it was necessary to arm them with strong powers. But it was said, to authorize the magistrates to forbid public meetings, would answer every purpose in view, as well as enabling them to disperse the multitude when actually met. But suppose such a prohibition should not be attended to—suppose a body of the foolish Spenceans should meet for the purpose of dividing the property of the gentlemen near them—ought not the magistrates to have the means of putting a stop to their proceedings? Ought the magistrate to be placed in such a situation, that he must be compelled to suffer seditious harangues to be made to a mob, in defiance of his prohibition? Yet this would be his situation, unless he were empowered to say, in the first instance, "You have met against my advice and opinion, and the consequences of the law be upon you, if you do not forthwith disperse." It had never been intended to subject literary bodies to any inconvenience by this bill: but it was felt, there would be some difficulty in making those shades of distinction, by which they were to be exempted from its operation in the bill itself. The Royal Institution, and other chartered bodies, were excepted; and the only inconvenience which would attend the meetings of any literary society, would be this:—they would be obliged to procure a licence, for which they must pay a shilling. If the report of the committee was believed to be true, the House would feel itself called upon to adopt the measure now before them, as one applicable to the present case, and as one necessary to prevent confusion, plunder, and bloodshed. It had a particular object in view, which was not met by the Habeas Corpus Suspension Act. That act was passed for other purposes. The bill now under consideration, was intended to guard against seditious meetings, by preventing multitudes from assembling for one purpose, under circumstances that made it proba-

ble, their proceedings were likely to be perverted, and made subservient to the accomplishment of another. These explanations would, he trusted, satisfy the House of the propriety, and of the necessity, of such a law, and induce them to sanction the third reading of the bill.

Mr. *Ponsonby* said, that the declaration of the hon. member for Glasgow, that the men implicated in the disturbances at Glasgow were none of them above the lowest order, gave him much satisfaction, as he had understood the lord advocate to intimate that persons above that class were concerned. This had been his opinion when in the committee, and he had been surprised to hear it asserted so often, that the committee had advised the adoption of stronger legislative enactments for the repression of that spirit of disaffection. No such recommendation had ever taken place, but by the unanimous vote of that committee they had avoided any such recommendation, and left the matter open to the discretion of his majesty's executive government.—Enough had been done already by the enactment of three different restrictive laws, one of which he could not imagine ever to be justifiably resorted to except when the constitution in all its branches was in the utmost peril. As to the nature of the conspiracy, he could not speak freely; for it was impossible, with regard to public justice, to do so; but the fair result of all that could be collected from the best authorities was, that many had unfortunately lent themselves to the projects of designing and disaffected men, but that the mass was not disaffected. The moment such a conspiracy was known, it was overthrown, especially under the eye of so vigilant and energetic a government as that of this country. There was neither rank nor talent to render it formidable; neither influence nor wealth to give it permanency and sinew. Why, therefore, government had proceeded to suspend so many parts of the constitution, he could not comprehend.—Some parts of this measure were, and some were not objectionable. A restriction upon such meetings was called for, because, even in the hands of the petty agitator, destitute of influence or wealth, they might be perverted to the worst purposes. No one magistrate, however, should have been intrusted with the powers granted by this bill. This had been the subject of an amendment in the committee, which he had much regretted was negatived. But

that clause was most objectionable, which gave the magistrate the power of construing that which he was afterwards called officially to act upon—the clause, stating that should a magistrate, attending upon the notice, hear any person holding such conversation or discourse as tended to bring the government of the country into hatred and contempt, he should proceed to act as the statute directed. Now, it would not be very unlikely, that at a meeting for petitioning this House upon a reform of its constitution, a magistrate, not very squeamish and friendly to the existing administration and state of things, might, in the fair course of argument, where the speaker introduced strong language, think the language tended to bring government into hatred and contempt.—Most of the dread felt by the members of the committee originated in the circumstance of the detection of persons administering secret oaths. For if they had no improper objects, why should they be concealed? The bill as applying to this part of the report, was proper enough; but it should have been divided into two bills, as the subject consisted of two parts. Against that part of the bill, giving to a single magistrate a power unprecedented in our history—to be subsequently followed up by the heaviest penalty of the law, death without benefit of clergy, he felt it his duty to enter his most solemn protest.

Mr. Serjeant Best considered the provisions of the bill competent and justifiable. The objection of the right hon. gentleman to confide such ample powers in one magistrate, was obviated by the necessity of the times and the case, in the first place; and next, by the consideration that such extended powers were granted but for a very limited time. In many districts it would have been difficult, if not impracticable, to enforce those provisions, were it requisite to call in more than one magistrate for that purpose. There could not be a doubt that, according to the law as it stood, a magistrate might apprehend any person making use of seditious expressions; but according to the present law he had not a right to go to any particular place where he might suspect seditious expressions were likely to be used. But by the bill now under discussion, the magistrate was expressly authorised to go to all meetings—he had a right to be present, which he had not before, in order that he might be enabled to ascertain the character and tendency of the proceedings carrying on.

Mr. Calcraft thought it not too much to ask, on behalf of the people of England, the same security in the exercise of their highest constitutional right, that belonged to the humblest pauper in the land. No one magistrate could send a miserable pauper from one parish to another, or license an ale-house; it required the concurrence of two magistrates for these purposes; and certainly if they were to clog public meetings with the attendance of magistrates, they ought at least to take as strong precautions against an abuse of power, as had been taken in the cases to which he had alluded. He objected to the whole of the bill as it at present stood, with the exception of those parts of it which related to the taking of secret oaths, to persons calling large meetings of the people together without notice, and to adjourned meetings. He said boldly and broadly, that no case was made out for abridging the liberties of his fellow-subjects, in the manner proposed to be done by this bill. The people had borne with exemplary patience the severest and most agonizing distress. At the numerous meetings, large beyond example, which had been held in all parts of the country, where was any thing like riotous conduct manifested? It was too much to assume in the face of this peaceable and orderly conduct, that the people ought to meet no more, except under severe restrictions—that a power ought to be given to one magistrate to disperse any meeting, and to apprehend whom he thought proper. Surely it was not asking too much, if they were to delegate such a power, that it should at least be delegated to two magistrates instead of one. Allowing, with gentlemen on the other side of the House, that malignant spirits had been at work in the country, and had endeavoured to avail themselves of the sufferings of the people, still no riots had taken place any where but in the metropolis. And, after all, in what did that riot consist? In the plunder of two shops, and the summoning of the Tower by one man. The Tower affair was denied by the lord mayor, who was no incompetent judge of what passed on that day. If even one man did summon the Tower to surrender, could it be seriously made the foundation of a suspension of the rights of the subject, and the enactment of gagging bills? His majesty's government ought to be ashamed to make such a ridiculous proceeding the ground work of new legislation.—He owned that he was not much afraid of any

proposal for continuing these measures after the expiration of their prescribed existence. Ministers would never venture to propose it. The history of the plot had spread over the country, and appeared to every one almost so perfectly ridiculous, that they never would dare to come before parliament for a renewal of the bills. An hon. member had said he parted with a part of his liberty for a time, for the sake of preserving the whole for ever. Circumstances might, indeed, call for such a sacrifice, but at present a case had not been made out sufficient to induce him to lay such restrictions on the liberty of the people, as those in this bill. It was deserving of remark, that though much was said of the disaffection existing in the country, those members who came from the places which were reported to be the theatre of it, from Leicestershire, Derbyshire, Nottingham and Lancashire, always acquitted their own neighbourhood of being in a disturbed state. Although he did not object to some parts of the bill, as it was undivided, he was under the necessity of voting against the whole.

Mr. *Peter Moore* could not allow the bill to pass without protesting against it, in the name of the people of this empire. He had been long enough a member of that House to remember three green bag plots, opened with the same pomp as that recently exhibited, all of which terminated in the same evaporation of smoke. Was the country to be thus trifled with, and induced to surrender its liberties, for the prolongation of that base system which was created in 1792? He denied the necessity for these nefarious measures—and the report on which they were founded was a libel on the country; and in this opinion he was fully confirmed by what had passed during the discussions on the subject, and, above all, by the speech of the right hon. gentleman opposite. Several gentlemen had defended the parts of the country to which they belonged from the imputations cast on their public meetings by the report. Though his constituents were not involved in the imputation, he would yet say, that in their recent conduct they preserved the same peaceable, upright, and righteous conduct that had ever distinguished them. If a conspiracy did exist, it was one not against the throne or the constitution, but against the trustees of the people, who neglected and abandoned their interests. If such measures as the present were introduced by

his best friends, he would say to them—“I love you in your private capacity, but I abhor you in your public one.”

Mr. *Canning* rose and said :

Although the clearest exposition of the object and motives of this measure was afforded to the House on its first introduction, and although every objection that has been made to it, appears to have been refuted in the course of the debate; I cannot allow the question to be put without explaining the grounds upon which I give my support to this measure, and without disclaiming the grounds which, in spite of so many disclaimers, are still insisted upon by some gentlemen opposite, as the real grounds on which the measure is proposed.—I do not vote in favour of this bill because it permanently abridges or restrains that right of petition upon which the hon. and learned gentleman (sir S. Romilly) has pronounced so warm and so laboured a panegyric: on the contrary, I give it my cordial concurrence, because it affords the most important protection to that right; rendering it more effectual for its legitimate purposes, by preserving it from abuse and pollution. I hold as high as that hon. and learned gentleman the sacred right of petition; and if I consent to any regulation of it, it is because I feel that some temporary regulation is necessary to fence round this invaluable right of the people, and to secure to them its future, full, and lasting enjoyment. That hon. and learned gentleman is not now to learn that, as by some mysterious operation of Providence, evil often produces good; so, on the other hand, out of the greatest good, when perverted and abused, arises, not unfrequently, the most fearful and permanent evil.

The hon. and learned gentleman has reminded us of the public meetings which took place last year, and which prevailed against the supposed pre-existing disposition of this House on the important question of the property tax. In one view, I am much obliged to the hon. and learned gentleman for this recollection. The effect of the petitions upon that occasion may, indeed, fairly be adduced as a just and pregnant instance of the influence of the people on the deliberations of this House;—of the sympathy and common interest existing between the great body of the people and their representatives.—That influence, I have no doubt, remains as powerful, and that community

of interest is as strongly and as deeply felt at the present moment, as it was last year. But how does this example apply to the measure now under consideration? Let the hon. and learned gentleman, or any man, show me if he can, the provision in this act which throws an impediment in the way of the exercise of such legitimate influence on the part of the people. Such provision does not exist. Pass this bill, and let another subject arise on which the country could properly desire to express its sentiments, and it will be found that the people have not lost one particle of that influence; nor has the constitutional mode of exerting it been in the slightest degree infringed.

It is indeed possible to fancy instances of abuse, as has been ingeniously done by an hon. gentleman (Mr. Calcraft) over the way; but these instances are the creatures of imagination, not of probability. Is it to be believed that any magistrate, with the eyes of all his neighbours fixed upon his actions, and in the face of the whole country, watched by the most jealous observers, and liable to the severest scrutiny;—is it to be believed that any magistrate, so situated, would turn the powers given him by this bill to so base and wicked a purpose as that of serving a political party?

If, Sir, I support this measure for the purpose, not of abridging the right of petition, but of guarding it from perversion and abuse, it is not that I apprehend the danger of abuse from the great mass and body of the people. That the bill is directed against the great mass and body of the people, has been regularly asserted from the other side of the House, and as regularly refuted from this side, in every stage of our proceedings. The imputation has been of such frequent recurrence as to become stale; and the repetition might well be spared, until some novelty can be adduced to refresh and enliven it. For my part, I beg to be understood as giving my consent to this bill *in behalf* of the great mass and body of the people of England;—to interpose a barrier between them and their deluders; to erect a temporary fence between them and those who have marked them for their prey, and by drawing a line of demarcation between the sound and the infected, to stop the ravages of the most malignant pestilence that ever threatened to spread havoc through the land. If the spreaders of this infection have failed of the success on which

they calculated, because the mass of the people are sound at heart, because, under all their sufferings, they have shown how difficult it is to stir them up to tumult and disorder, is it not the more incumbent on us to come to the aid of that sound and suffering part of the community?—Is it not our duty to guard them, by protective laws, against the designs of those who, taking advantage of temporary difficulties and warm feelings, are employing every kind of artifice and irritation, to excite them to riot and rebellion?—Yes, Sir, I admit that the instances are few in which these malignant spirits have succeeded; but I am not therefore disposed to allow that the evil consequences have been so slight as to render it unnecessary to interpose a bar against the spreading of the contagion.

The hon. gentleman who spoke last has gone back to points of difference which had seemed to be entirely set at rest; and has once more called in question the report of the secret committee. He is for rejecting that as a foul libel, which, on previous occasions, has been deemed an unquestionable basis for our parliamentary proceedings. Sir, I would not be thought to take an ungenerous advantage of the hon. gentleman; but so often as this discarded topic is brought forward, I cannot undertake always to meet it with the same arguments. I must therefore content myself, on this twentieth occasion, with referring the hon. gentleman to his own friends who were on the committee.

A noble lord (lord W. Russell) is of opinion, that we have already done enough to meet the evil of the times; and calls on government to pause before they ask for larger confidence or further powers. If, Sir, the noble lord and the House had been led on from bill to bill, from step to step, and in ignorance of what was to succeed, then might it fairly be objected at any period, that now was the time to stop. But this is not the case. The House will not fail to recollect that all the four measures which have been under our consideration were proposed at once; and that in the explanations of their nature and tendency, each was treated with its relations to and bearings upon the others. The House were thus enabled, not only to contemplate the whole at one view, but to deliberate on the propositions offered to them both separately and relatively to each other. Nothing could be more candid and fair than this proceeding.

In the same spirit of candour I agree with the right hon. gentleman (Mr. Ponsonby), whose opinions ever have, as they deserve, great weight in the House, that the measures cannot be said to come from the direct authority of the committee. The committee, undoubtedly, left to the constitutional advisers of the Crown to propose such measures in consequence of the report as they, on their responsibility, should deem necessary for the safety of the country. But thus much the committee *as* undoubtedly *did*:—it distinctly affirmed that the existing laws are insufficient. So far its authority went, and what followed? Two out of the four bills proposed, have received the general concurrence of both sides of the House, and the suspension of the Habeas Corpus has been carried by a large majority. Here, however, the noble lord is disposed to stop; contending that, having parted with so much liberty, he cannot afford to give up any more. To this the reply of the hon. member for Glasgow (Mr. Finlay) appears to me most satisfactory: "I part with a portion of my liberty for a time, that I may secure it all for ever."

The hon. gentlemen on the other side, seem afraid that they are giving too great powers to ministers; and they are willing to impute to us an anxious desire to take upon ourselves this new burthen of responsibility. Good God! Is it possible for a moment to imagine (I have on a former occasion asked this question—but I must repeat it, in answer to the repetition of the charge) that we ask these powers as a boon? Would any man covet such an arduous task that could, consistently with his duty, avoid it? It is an overwhelming, though necessary duty, that we take upon ourselves. When the executive power requires to have its arm thus strengthened, God forbid that it should be with the view to a wanton exercise of that strength! God forbid that their call should be answered on any other ground than the conviction that extraordinary mischiefs can only be subdued by extraordinary means!

It is true that the Habeas Corpus act is suspended. The treasons now at work, but hitherto not easily to be laid hold of, may—and I doubt not will—be abashed by dread of the power which that suspension gives. But we are now dealing with the abuse of public meetings. The present bill is wanted to prevent the dissemination of sedition with impunity. Who

besides the noble lord and the hon. member who spoke last but one, has denied the existence of abuses in public meetings? The hon. and learned gentleman (sir S. Romilly), and the right hon. gentleman (Mr. Ponsonby), have fairly and candidly admitted that they required restraint. Whatever *odium* therefore is to be thrown upon those who contend that the abuses of public meetings loudly call for regulation, let it be remembered that in that *odium* are included the hon. and learned gentleman, and his right hon. friend. I do not mean to say that they would have applied precisely the remedies now proposed; but in sentiment they avow their entire concurrence with his majesty's ministers, and have even stated this their conviction more strongly than any gentleman who usually votes with government. The rest is matter of detail, comparatively of little importance. With only three or four exceptions therefore we are all agreed that popular assemblies require additional control; and I trust it will go forth to the world that this conviction has been avowed and supported chiefly by those who, on other occasions, are the open antagonists of ministers, and the professed advocates of the liberty of the subject.

And why is it that popular meetings require extraordinary control at the present moment? Because the great multitude of the individuals who attend them go there with the intention to subvert the constitution?—because they go with a disposition to be led on to acts of outrage? No. But because, in the peculiar circumstances of the country, there is an unusual degree of inflammability in the public mind;—because there are incendiaries abroad who would avail themselves of this extraordinary inflammability to kindle the fires of rebellion in every corner of the kingdom. This is the true reason why restraints ought to be put upon popular assemblies; this is admitted on both sides of the House to be the truth; and so far both sides of the House travel together in harmony. See then to what a small point the question narrows itself,—to that of the particular regulations to be adopted,—to the detail of the treatment to be pursued in applying the remedy to the disease. It is true that great distress prepares the minds of the sufferers for listening to every fantastic and delusive project. This state of mind, deeply to be lamented and deeply to be commiserated, exposes the unemployed manufacturers and artisans

to be misled by the artifices of enemies; who, neither sharing, nor commiserating, nor wishing to relieve their distresses, consider them only as prepared by those distresses to be the instruments of the most nefarious designs.

Even the benevolent exertions of the wealthier orders of the community, and that last and best exertion of benevolence, the diffusion of knowledge among the poorer classes, are turned by these corruptors into evil. Education itself, the greatest of all blessings in a state (because the safety of a state depends upon the morals of its inhabitants, and those morals upon instruction) has been thus converted into one of the blackest curses that could afflict mankind. What crime can be imagined of deeper dye than thus to cloud and overcast the dawn of moral and intellectual improvement? To what can such a malignity be likened but to the stratagems of illegitimate and barbarous warfare; where, instead of employing the fair and acknowledged weapons of hostility, the savage enemy poisons the well-springs,—the sources of health and life!

Gentlemen, however, who do not dispute the malignity of the purpose, differ as to the extent of the evils produced. In the opinion of the hon. gentleman (Mr. Calcraft), for instance, the meeting of the 2nd of December does not furnish any pretext for such measures as have been adopted, and as are now under discussion. That meeting was, as we all believe and know, called professedly to discuss grievances, but was—by others than those who called it—turned to open insurrection and rebellion. The hon. gentleman attempts to ridicule these proceedings. He is in truth rather hard to be satisfied on the score of rebellion! To him it is not sufficient that the Tower was summoned; it ought to have been taken: the metropolis should not have been merely agitated, but in flames. He is so difficult with regard to proof, that he would continue to doubt until all the mischief was not only certain but irreparable. For my part, however, I am satisfied when I hear the trumpet of rebellion sounded; I do not think it necessary to wait the actual onset before I put myself on my guard. I am content to take my precautions when I see the torch of the incendiary lighted, without waiting till the Bank and the Mansion-house are blazing to the sky. To me it appears advisable to provide security for the future, after an attempt, however abortive,

rather than to speculate in perfect inactivity on the chances of success another time. I think it more advisable, I think it more humane, I think it better for the country, better for the deluders and for the deluded themselves, to stop short of the consummation by which it seems the hon. gentleman can alone arrive at conviction—the consummation of irretrievable ruin.

But is it to the metropolis alone that the mischief is confined? Certainly not. If any thing in the report laid before the House is more distinctly proved than another, it is the connexion and correspondence between the agitators in the metropolis and in different parts of the country. This is demonstrated by that expectation of evil which hung upon the public mind in various districts distant from the metropolis, and from each other, a few days before the meeting of the 2nd of December; by the anxiety and agitation which crowded the high-ways leading from certain towns to the metropolis, at the time when the intelligence of that memorable day was expected to arrive. That there are ramifications of conspiracy far and wide through the country, no one who has read the report can doubt, unless he be fenced and guarded against the evidence of facts by the most determined incredulity, and the most hardened mistrust. But even were it not so,—were there only a single instance of such tumult and such peril—tumult so disgraceful, so tremendous—peril so narrowly escaped,—would it not be charity to prevent the continuance and the diffusion of such an abuse of public meetings, when this too could be done without touching upon the permanent privileges of the people? It is not against legitimate petitioning that we are providing; it is not against the peaceable promulgation of opinions, however absurd; but we call on the country to array itself against that *physical force* by which these mischievous delusions are to be propagated and maintained. The language, indeed, is the language of supplication, but the attitude is the attitude of menace; it is Jacob's voice, but Esau's hand.

Sir, the mischief, as it is new, so we trust it may not be lasting: a temporary affliction may be met by temporary measures, and we therefore propose so much of this bill as relates to the regulation of public meetings only for a limited time. Such a measure has no tendency to injure the right of petitioning; this

right has before been so restrained, and it has survived in unimpaired vigour.

In all free countries it is necessary (and the more necessary in proportion as they are the more free), that there should exist the power of resorting to some such measure as that of the suspension of the Habeas Corpus act, and laws similar to that now proposed. It is thus that in Rome the dictatorship followed, within 12 years, the establishment of the consulship; on the abolition of the regal power. There must be in every State the means of its own conservation. It is in this sense only that my colleagues and myself asked for the suspension of the *Habeas Corpus*. It is in this sense only that the House of Commons granted, or ought to grant, such a power to Ministers. It is in this view only that we recommend to the House of Commons to pass the present bill;—not (as I have so often said, but as cannot be too often repeated) for the extinction of the sacred right of petition, but for its protection and preservation; to preserve it in its purity, its sanctity, and its force,—by protecting it from prostitution to the purposes of anarchy and ruin.

Mr. *Brougham* rose to avail himself of the last opportunity the forms of the House would afford him of expressing his decided disapprobation of the bill under consideration; and he should have contented himself with merely protesting against the measure, had not some observations which had fallen from the last speaker rendered it necessary for him to say a few words, with the view of setting the House right as to some of the arguments used by the right hon. gentleman. The right hon. gentleman had said, that all who had spoken in opposition to the bill, with three exceptions, concurred in the necessity of some regulations for public meetings. All, however, that he and his hon. friends had admitted was, that the provision for seven householders signing a requisition for any meeting might be very properly enacted, in order to prevent persons not resident in the place from convening meetings for mischievous purposes. Such was the restriction, if such the right hon. gentleman wished to call it, to which he was disposed to agree. But, had that precautionary measure any thing in common with a regulation which gave the power of preventing a meeting to one magistrate, though, as it had been well observed by his hon. friend, the member for

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Rochester, the authority of two magistrates was necessary even to pass a pauper—a regulation which enabled a magistrate to disperse a meeting at his pleasure, and arrest the persons who spoke? An hon. and learned friend of his had, it was true, asserted, that magistrates already possessed the power of arresting, given by this bill; but that assertion, he must say, was founded on a mere quibble. They certainly possessed no such power by law. He could understand the power of the magistrate to arrest for a breach of the king's peace; or even (though on that point there were great doubts) for seditious words tending to an immediate breach of the peace; but these were cases totally distinct from the power which the present bill, by implication, gave of arresting upon words being spoken, tending, in the magistrate's opinion, to bring the constitution and the government into contempt.

He entertained the greatest respect for that most useful body of men, the justices of peace; their services were of high importance to the country; and we should be the slower to criticise their conduct in office, when we recollected that those services were gratuitous. Nevertheless, he could not, without the utmost apprehension, see them invested with a power of construing the words used in public meetings as might best suit views of interest or of subserviency, or an officious zeal, frequently most dangerous when wholly disinterested. Was it conceivable that the right of petitioning could remain as sacred as the hon. gentleman himself admitted it ought to be preserved, if any justice might interrupt the exercise of it by commitment, the instant he thought words had been uttered in the course of a discussion, which in his apprehension had a tendency to reflect upon the established government? If abuses existed in the constitution, they could not be canvassed without the certainty of words being used liable to such a construction. Was it then meant that no meeting shall henceforth be holden to petition against existing defects in the government? Better say, at once, there shall be no more petitions for reform. Nay, discussions of measures of malversations, of acts done contrary to the existing constitution, might give rise to expressions which an over-zealous magistrate would be very likely to interpret in the same way. It was not at all necessary to suppose corruption or dishonesty in the justices, in order to be alarmed at the powers thus

given them—ignorance and prejudice might do as great mischief; and the right of petitioning must henceforth be exercised variously in each district, according to the discretion, that is, the habit and principles, the temper and caprice, of its magistrates.

The right hon. gentleman who spoke last had said, that the ministers were not much pleased at the suspension of the Habeas Corpus; that they looked upon it as a fearful, rather than a valuable gift. He would endeavour to relieve him from his uneasiness, and to show him that his alarms, as to the uselessness of that power were as groundless as those of the report seemed to be. He did not believe, for his own part, that there would be many arrests, or that it had ever been intended to arrest many persons; but in adopting that measure, there were two purposes in view. The one he took to be the desire to increase a wholesome dread, which the ministers above all others were interested in spreading over the country. The other was, to divert the attention of parliament and the country from the pressure of taxation; to prevent the present session from being like the last a session of rebuffs—a session of defeat to those who attempted to impose taxes, and of victory to those who promoted economy, to silence also the demand for parliamentary reform. For when such important questions came nightly before the House, as that of the life or death of the constitution, or at least of its suspended animation (for the right hon. gentleman had compared these measures to the appointment of a dictator;) when questions of such fearful magnitude were constantly before them, it was impossible that they could attend to subjects, which, though of themselves important, were in comparison with the former, trifling indeed. One only of the numerous notices on the subject of retrenchment had, in fact, yet been brought forward. This should be some solace to the ministers under the weight the parliament had laid upon them—they might well be comforted under the severe affliction with which parliament had visited them, of placing almost absolute power in their hands. The Bank used to complain piteously in nearly the same manner of the restriction which prevented them from paying their debts. To be sure, it was a constraint that brought its sweets with it—so did the present calamity to the ministers. It had operated a diversion in

their favour, and given them, as far as their places were concerned (which they set a due value upon), a quiet instead of a stormy session.

But this was not all. Once more let the right hon. gentleman be comforted— if the storm had been laid within doors, it had still more effectually been calmed without. The tongues and the pens of all who spoke or wrote upon public affairs, must feel the influence of these measures. Every one who rose in a meeting, or sat down at his desk, to attack the measures of his majesty's ministers, now knew that he did so with a halter about his neck—and was aware that if he passed a boundary undefined in its extent, a line invisible to all eyes but those of the cabinet or the attorney-general, on the morrow his personal liberty was at an end. Every one, therefore, felt the temptation to say as little as possible, at least if his sentiments were unfriendly to the gentlemen opposite. And thus those gentlemen (and among the rest the right hon. gentleman (Mr. Canning) who had certainly less cause to dread such attacks than many of his colleagues) might now look at any political publication with perfect composure of mind. But though he threw out this reflection to console them under the increased burthen of their cares, it was no comfort to him and to those who valued our free constitution. He was aware that the powers of the bills were most likely to be exercised against persons whom he had individually but little reason to regard; men of (with a few exceptions) considerable talents certainly, and some influence with the people; but in whose opinions he could not concur; whose practices he often despised, and at whose hands he had himself received much injustice and obloquy. But he cared not in whose person the constitution was menaced or violated. Let it even be in the persons of the men he most heartily contemned; in them he would defend it to the last; by them he would stand as fast as if the attack were levelled at the same constitution in the person of his noble friend (lord William Russell), by whose family the like struggle had been maintained both in the past and present times.

The right hon. gentleman who spoke last had idly resorted to the Roman history to show that in extraordinary emergencies governments should be endued with extraordinary powers for their protection. It needed not the example of the dictatorship to

prove that state necessity disregarded law. Nor if an authority had been wanted, would the instance of a military commonwealth, in a barbarous age, have been a very happy one. But he admitted the position, and if a case could be made out of imminent danger to the existence of the constitution, he should, with the member for Glasgow, be willing to give up a part of our liberty to save the whole. No man would be found to deny such self-evident and very trite maxims; but all depended upon their application to the case in hand. Was the constitution now struggling for its existence, in the midst of plots, conspiracies and rebellion? This was the whole question; and it brought us back to the much discussed merits of the select committee and its report. Now he begged the House to recollect what had taken place in former cases of reports, in order to obtain a clue for guiding their inquiries as to the probability of the stories detailed in the present instances. They would find abundant reason for being cautious how they trusted all the alarming particulars that had come out of this year's green bag.—It might be recollected, that the report of 1812 was like that lately laid before the House,—occupied with statements of conspiracies and affiliations; statements, too, which were founded on less questionable authority. There were, however, many things asserted in that report which subsequent information proved to have been erroneous; and on looking back to which, it was difficult now to comprehend how they could have been credited: It was stated, that in the extensive heaths which divide Lancashire and Yorkshire, men were trained to arms by torch-lights that posts were established at certain distances, which kept up regular communications with each other, and that in the night the evolutions were carried on by the help of blue lights. It was said, that men had been seen exercising in a field. When in that part of the country, he heard of information having been given on this subject to a magistrate; and, from the nature of it, he believed it came from the same source as that on which the assertions in the report were founded. A person, who had been riding during night, declared, that he heard a sudden clank of metal resembling the sound made in drawing a number of sabres; and that, on turning round, he saw a whole regiment of cavalry performing evolutions. The magistrate to whom this information was

communicated, being a man of sense, who was not easily frightened out of his understanding, it occurred to him that if a regiment of dragoons had been exercising in the field where the informant said he had seen them, they must have left behind them some traces of their manoeuvres. He accordingly sent persons to inspect, who, to their surprise (being believers in the movement) found that the grass in the field was standing erect, and ready to be moved, precisely in the state in which it had been seen on the preceding day. [A laugh.] But what the report stated respecting Mr. Horsfall's murder, deserved the particular attention of the House.* That murder took place about a month before the report appeared, in which the whole population were charged as tainted with that crime. The report states, that the population, instead of helping him, flocked round him, when he was wounded, and insulted him; but having had the honour to be employed as counsel in the case, he could assure the House that there was not one word of truth in what the report contained on this subject. If any one doubted what he stated, he would refer them to the short hand account of the trial, which had been published under the authority of his majesty's government by the solicitor for the treasury, who attended at the trials. They would there find, that instead of insulting Mr. Horsfall, the populace, that is, two individuals who happened to pass by, rendered him every service in their power. They assisted in putting him into a cart, conveyed him to a public-house, and sent for a surgeon to dress his wounds. Now, this was surely sufficient to warrant his doubting the accuracy of reports. He would impute no intention of deceiving to any one; but surely the consequence of receiving ex-parte evidence must be, to open a wide door to deception. It created a temptation, to busy, meddling persons, to come forward with their tales; who, either because they were alarmed themselves, or wished to alarm others, had always some strange and dreadful story to tell. An instance of this propensity to communicate one's own fears (for he must presume the alarm was real) had lately occurred in the House. An hon. and learned friend of his, not now in his place,

* For the Reports of the Lords and Commons in the year 1812 see, Vol. 23, p. p. 951 and 1029.

(the lord advocate) had read an oath, in his place, said to have been taken in Scotland. It was stated, that this oath had been kept out of the report, lest the parties concerned should be put on their guard and escape; but what was his surprise on finding that every hint the parties could have obtained by the insertion of the oath was conveyed by the terms of the report itself. The exhibition of the oath was therefore made at a time when the bringing of it forward was likely to have an effect on the decision of the House. In the report of 1812, there was also an oath, which some one, he believed the chancellor of the exchequer, had read to the House, with something of the stage effect given to the Glasgow oath; but he did not propose the suspension of the Habeas Corpus, nor any such measure as that before the House; all that he proposed was, to make the taking such oaths felony, and so the law still remains. It was remarkable, however, that the oath of this year, at which gentlemen had stared wildly, and cheered loudly, as if they never before had heard any thing so terrible, was considerably less frightful than the oath of 1812. To keep up the present alarm as much as possible, the agents of ministers at Edinburgh had made an application to the court of session, to remove the persons who had been arrested under the suspension of the Habeas Corpus act to the Castle of Edinburgh. This was done with the view of producing an impression, as the Castle is the place of confinement for traitors. The court, however, refused to place men apprehended for sedition in that situation; and disdaining to make themselves parties to political measures, rejected the application. When he saw all these schemes resorted to for the purpose of taking away men's reason by alarm, he could not help withholding his assent to any measures connected with an object so unjustifiable.

The right hon. gentleman had talked of the mischief arising from public instruction. [Cries of No, no.] He was sincerely glad he had misunderstood him. He should deeply have regretted, had such an opinion gone abroad with the sanction of the right hon. gentleman's authority. But if this was not the import of the statement, he really hardly knew what meaning he could attach to it; for he had unquestionably mentioned the diffusion of education as one cause why the minds of the people were more easily made the

prey of agitators. Now, in whatever way this sentiment was wrapt up, he must meet it with a broad denial. Far from admitting that the knowledge, happily spreading far and wide among all ranks, even the lowest of the community, was the bane of public tranquillity, he viewed it as the antidote; he saw in it the best preventive of popular fury, and the surest preservative against the arts of designing men. While even the mob were well informed, the right hon. gentleman in vain declaimed upon the perils of our situation from changes produced by free discussion. It was a favourite commonplace of his, which he brought out in all varieties of figure. Tother night it was a stone rolling down hill, and oddly enough crushing him who was pushing it from above. To night it was a poison, and also a torch. But he (Mr. B.) denied that the maniacs who would spread such a venom, could now find subjects liable to its infection; and he was confident they who sought to fling the torch, would discover no combustible train to inflame with it; for the universal improvement which had of late years been produced among the people, had predisposed them to quiet and calmness; nor could he in any other way explain the marvellous patience which they displayed in bearing such unparalleled distresses and burthens, hardly to be endured. This was the cause, in all probability, of their extraordinary good conduct; but it in no degree lessened its merit. Yet, how did parliament reward them? To that House they looked with unwearied confidence, unabated by disappointment, and uninfluenced by the hardships they suffered, or the attempts made to delude them. And the House, instead of inquiring into the causes of their sufferings, passed to the other orders of the day at its last meeting, and to night passed a bill to gag them! — Much had been said of the former season of alarm. He also appealed confidently to it for support; that crisis offered a perfect contrast to the present. The report of 1794 stated as the grounds of alarm, the war with France, then raging most disastrously for our arms; the invasion threatened from her coasts; the communication of the disaffected here with the French government; the clubs of Paris; the infectious nature of the dangerous principles patronized by that government; and, above all, the determination of the discontented not to seek relief by peti-

tioning parliament. Not one of these grounds of alarm now exists; and to the last and principal ground, the events of the present day afford the most signal contrast—the people never were so anxious to petition; and the table of the House was never so loaded with their applications. Thus it seemed, that when the people refused to petition, their rights were suspended for their disaffection, and now, when they looked only to the House for relief, it passed bills to stifle their complaints. He hoped no harm would come of it; but he conjured the House to stop in this course through which the ministers were hurrying it; and to reflect on what his hon. friend, the member for Rochester (Mr. Calcraft) had justly termed the insatiable nature of power, which seldom failed, after it had gotten as much as you would give, to use the force it had obtained by fair means, in order to wrest what you wished to withhold.

Mr. *Canning* said, he had never stated any opinion unfavourable to the general diffusion of instruction.

Mr. *Brougham* was happy to hear the disavowal of the right hon. gentleman.

Lord *Cochrane* adverted to the impatience expressed by the House to come to the question, expressed his regret at their haste to decide on so important a subject. The passing of this bill was the last stab given to the constitution. If this bill passed into a law, it would erect every magistrate in the country into a petty tyrant. This anticipated conduct of the magistrates, and the cruelties that might result from such tyrannical laws, were not imaginary. He had received a letter from Glasgow, giving an account of two of the persons who were taken up there for high treason. One of them was a student of divinity, who had written him an account of his treatment. This student of divinity was very different from the parsons to whose conduct he alluded on a former evening; for no less than twenty of his fellow students, signed a declaration expressive of their high sense of his character, and good principles. His name was M^r Arthur. He stated, that he was taken up on the 22d of February, that he was apprehended by an officer upon a warrant that had not the insertion of his christian name, that he was carried before the sheriff; and that, though nothing was substantiated against him, he was sent to prison, where he was put in a dreary cell, with a bed in it so damp, that he could not with safety sleep in it.

He was thus treated at the very time that he had just recovered from indisposition, occasioned by an affection of the lungs. The weather was cold, and he felt its severity. He complained that, from malice or some other cause, his food was supplied very irregularly and unseasonably; that his breakfast, though brought early in the morning, was not delivered to him till one or two o'clock in the afternoon, and his dinner was supplied in the same negligent manner. In short, he suffered the utmost degree of severity, without any thing to justify suspicion, or to prove guilt. The other person, whose case was described, was of the name of Weir. He was put in a cell surrounded with water, without any thing to rest upon. Nothing was found against him; and after suffering for some days, he was likewise discharged. Ought not responsibility to light somewhere? Ministers were so weak, that they were obliged to throw it off themselves; but should not the House take care that the aggrieved should obtain redress, if not from them, at least from the instruments of their tyranny? The House ought to form a resolution against the passing of any bill to grant indemnity to persons who had abused their power, or to shut out those who had suffered from obtaining their legal remedy. These tyrannical acts would not be abrogated if they passed. They would be like the bank restriction act, endless in their duration. He would prefer undisguised despotism to the condition of this country, deprived of the bulwark of its freedom, and exposed to the petty vexations of magistrates; and would think Algiers a good exchange for England.

Mr. *Finlay* was glad he could contradict the information of the noble lord; or at least assure the House, that it was a gross exaggeration. The person first alluded to had been well treated; he had been first put into one room of the gaol on the debtors side, and then removed to another; but in both of them there was good accommodation. He could appeal to some members of the House acquainted with the Glasgow gaol, and one hon. member opposite who had visited it whether it was not clean, healthy, and well arranged. He could not speak to the case of the other person; but he was convinced, from the humanity of the magistrates, and his knowledge of the prison, that the statement of the noble lord was either totally unfounded, or grossly exaggerated.

Mr. *Bennet*, as he had been alluded to by the hon. member, was ready to bear testimony to the good state of the gaol; but if the bed was damp and wet, the prisoner might suffer nevertheless. The account given by the noble lord accorded with one that he (Mr. B.) had received. The character given of this person ought to have exempted him from such treatment, or even from suspicion.

The House divided :

For the third reading.....179

Against it 44

Majority..... —135

List of the Minority.

Aubrey, sir John	Martin, John
Atherley, Arthur	Monck, sir C.
Barnett, James	Moore, Peter
Bennet, hon. H. G.	Newport, sir John
Baillie, James E.	North, Dudley
Brand, hon. T.	Ord, Wm.
Brougham, H.	Osborne, lord F.
Calcraft, John	Ossulston, lord
Calvert, C.	Peirse, H.
Carter, John	Ponsonby, rt. hon. G.
Cochrane, lord	Prittie, hon. F. A.
Curwen, J. C.	Romilly, sir S.
Duncannon, visc.	Rowley, sir W.
Fazakerley, Nic.	Russell, lord Wm.
Fergusson, sir R. C.	Russell, R. G.
Fitzgerald, lord W.	Sefton, earl of
Fitzroy, lord John	Smith, John
Folkestone, visc.	Smith, Wm.
Hughes, W. L.	Waldegrave, hon. W.
Hornby, Ed.	Wilkins, Walter
Jervoise, G. P.	TELLERS.
Lemon, sir W.	Ridley, sir M. W.
Mackintosh, sir J.	Sharp, Richard
Martin, Henry	

The Bill being read a third time,

Sir *John Newport* opposed a clause introduced by the attorney-general, which enacted that the provisions of the act should not extend to Ireland. Sir John said, that in Ireland there were societies called *Orange Societies*, which were in hostility to three-fourths of their fellow-countrymen, and were bound together by secret oaths, and by oaths of qualified allegiance; he therefore wished that the provisions of the act respecting illegal Societies should extend to Ireland.

Lord *Castlereagh* said, that it had been already distinctly declared, that Ireland was in such a tranquil state as not to require any such unusual restraint; and also that it was quite unnecessary to extend to Ireland any enactment respecting the safety of the king's person. That as to *Orange Societies*, he very much regretted their existence, and felt persuaded

that what was said on a former occasion relative to them, would prevent their further extension; that on that occasion it was not thought necessary for parliament to interfere, and that doing so now would provoke resentment.

The question, that the bill should not extend to Ireland was then carried. Sir M. W. Ridley moved the following amendment to the preamble of the bill:—“Whereas assemblies of divers persons collected for the purpose of exercising their undoubted right of offering petitions, complaints, remonstrances, declarations, or other addresses to his royal highness the Prince Regent, or to both Houses, or to either House of Parliament, have of late taken place; and whereas riots may be apprehended from large meetings of persons suffering under the pressure of distress at the present time.” This amendment was negatived.—Mr. Ponsonby moved, that instead of the words “one or more justice or justices,” there should be inserted in the bill “two or more justices.” This motion was negatived. He then moved, that instead of the words “constitution and government,” there should be inserted the word “constitution” only, omitting the words “and government.”—This motion was also negatived. The bill was then passed.

HOUSE OF COMMONS.

Monday, March 17.

LONDON PETITION RESPECTING LOTTERIES.] The Sheriffs of London presented at the bar, a petition from the Lord Mayor, Alderman, and Commons of the City of London, setting forth, “That the petitioners have, with great pain, long witnessed the ill effects of lotteries, in destroying industrious habits, in estranging men from their families, and in corrupting their morals; and that, in these days of general distress, when the profits of trade are reduced beyond all former example, when so many individuals of the labouring classes are thrown out of work, and the poor-rates have augmented to a degree almost insupportable, it appears to the petitioners to be peculiarly impolitic to encourage gambling among the poor; that, although the institution of saving banks may be of considerable benefit, and promises to be of much greater, in giving an incentive to honest industry, and habits of frugality and sobriety, the petitioners are at a loss to account for the conduct of his majesty's ministers, who, on the one

hand, patronise such institutions, and bring in bills for their regulation, and on the other counteract their good effect by occasioning gaming houses to be set up all over the kingdom, and provoking the people to a spirit of gambling, by every possible artifice; and that even legal speculations in the lottery appear to the petitioners to be the direct cause of much vice and misery, but that there is besides much illegal dealing in insurances, which the petitioners are convinced no laws can ever entirely suppress; and that the present very severe laws against such illegal insurances are extremely liable to abuse, and in fact, are notoriously abused; that they give rise to infinite fraud and perjury, and can only be enforced by the instrumentality of the most profligate informers; and praying the House not to sanction, by their votes, any state lottery in future, under any circumstance whatever."

Ordered to lie upon the table.

ORDNANCE ESTIMATES.] The House having resolved itself into a Committee of Supply, to which the Ordnance Estimates were referred,

Mr. *R. Ward* said, it was his intention to move a vote on account, as had been done, with regard to the army and navy estimates; and that no farther supply should be granted at present for the service of the ordnance department, than for the six months ending on the 30th June, 1817. He trusted that the accounts were not likely to give rise to much altercation: and he deemed it right to state to the House what had been the extent of the different reductions in this branch of the public expenditure. The charge for the ordinary service was this year 538,175*l.*, which was less than the former estimate by the sum of 135,000*l.* The extraordinaries amounted to 211,784*l.*, leaving a reduction under this head of expense of 104,000*l.* The aggregate charge was 749,959*l.* Credit had been taken for 53,000*l.*, from the sale of horses and old stores. Here the hon. gentleman entered upon a statement of the reductions in Ireland. The total amount of the whole expense for the year, for Great Britain and Ireland, would be, in round numbers, 942,000*l.* In time of full war, the number of men employed was 31,600. In 1815, this number was reduced to the extent of 3,800 men; in 1816, to that of 15,000 more; and the present establishment consisted only of 9,300. He should content himself at present with moving,

"That a sum not exceeding 248,000*l.*, be granted to his majesty for the charge of the office of ordnance for land service, from the 1st of January to the 30th of June 1817."

Mr. *Bennet* considered, that it would be more advantageous to postpone the general discussion upon this subject till the whole of the estimates should be before the House. He rose chiefly for the purpose of expressing the surprise with which he had read an advertisement purporting to issue from the ordnance board, addressed to map-sellers, and forbidding them to make any use or publish any copies of the trigonometrical surveys of the country, which had been taken at the public expense, under the immediate direction of the ordnance board. This appeared to him to be acting in the spirit of a peddling trader, rather than of a public department. Many could not afford to purchase the original chart, and by this prohibition, the general object of utility would be defeated. It was not upon this principle that foreign governments acted. In Paris any one might go to the map-board, and see not only those which were, but those which were not published.

Mr. *R. Ward* said, it was intended that the sale of the maps should defray their expense, and that was the reason why the property in them had been so carefully guarded. He was surprised that the hon. gentleman, who was so zealous for economy in every branch of the public expenditure, should object to a proceeding which would prevent the necessity of recurring to the usual annual grant of 10,000*l.*, for carrying on that undertaking.

Sir *M. W. Ridley* was glad, however late, to see ministers taking credit for economy; but he observed, that the first article in these estimates was the sum of 43,793*l.* to the master-general, principal officers, and others in this department. This was an increase to the heads of the department amounting to 10,000*l.* above the sum voted when the estimates were between three and four millions, although they were now less than one million. It was to a reduction of such salaries that the public looked for effectual retrenchment, and not to savings made by the sacrifice, of works of national importance and utility.

Mr. *R. Ward* said, that instead of the sum alluded to by the hon. baronet being incurred by the heads of the department, it was, in fact, the tails of the department

that had caused such an expense. In consequence of the greatly increased extent of the ordnance service, it had been found impossible to do without a very large number of clerks and subordinate officers at the Tower and in Pall-mall, and it was chiefly to defray their salaries that the sum of 43,793*l.*, was required.

Mr. *Calcraft* said, that with respect to reductions in general, if the hon. gentleman referred to a state of full war, the present establishments were great; but the House must now look to peace establishments. If ministers thought themselves obliged to keep up the ordnance, he must say, that their estimates were extremely large. He admitted that very considerable efforts at reduction had been made, but they might be carried still farther in the army and ordnance. He should by no means press for any farther reductions in the navy. He did not know, indeed, whether the navy was not too much reduced already.

Mr. *Brougham* desired to express his approbation of the great reductions in the ordnance, and hoped it would be the model and scale on which other reductions would be made. Something, he hoped, would be proposed by the committee above stairs; but he anticipated, with great satisfaction, that after Easter the House would be able to resume some of those functions which appeared now to be too much in abeyance.

The several resolutions were then agreed to.

MR. BUTT'S PETITION.] Lord *Cochrane* said, that he held in his hand a petition from Mr. R. G. Butt, stating, that the fine of 1,000*l.* which he had paid under a sentence of the court of King's-bench, had not been applied to the use of government. He (Lord Cochrane), not being able to speak to this fact himself, had been that day to the Pipe-office, where he learned, that no fine had been paid there by the regular officer of the Crown-office for some time past. If, however, the idea of its not having been properly applied was a delusion on the mind of the petitioner, he hoped the House would not reject his petition without proper inquiry, as he had been deprived of his liberty for having published several hand-bills on the subject. It was highly necessary that some investigation should be made into the fact, in order that the public might know that no improper use had been made of the

money. He should move to-morrow for an account of all fines paid under sentences of courts of law, with their subsequent application.

The *Chancellor of the Exchequer* would not then say a word on the motion which the noble lord intended to make; but he desired to observe, that the facts mentioned in the petition had been before him, and he found, that the fine levied under the authority of the court of King's-bench had been duly applied. It was ridiculous to suppose, that any misapplication could have been made of a sum paid under the sentence of one of the supreme courts of justice. No doubt existed in his mind, but that this individual laboured, on this as he did on other points, under a considerable delusion of mind.

The petition was then read, setting forth, "That the petitioner was, on the 21st day of June, 1814, under an alleged conspiracy against the Stock-exchange, sentenced by his majesty's court of King's-bench to stand in the pillory, to the payment of a fine of 1,000*l.*, and to imprisonment for one year, and until the fine should be paid; that the first part of the said sentence having been remitted under the plea that the petitioner had prayed to that effect, instead of his having protested against the injustice of the whole, the period of his confinement having elapsed, and the fine being paid, the petitioner begs leave humbly to state to the House that, having learnt during his confinement and subsequently, that misapplication of public money had frequently occurred, the petitioner made inquiry as to the application of the fine paid as aforesaid, and he begs leave to state that at a late period the said sum of 1,000*l.*, had not been placed to the public account in the Pipe-office, to which it ought to have been transferred; under such circumstances, the petitioner, conceiving he might be called on for the repayment of the said fine so withheld from the Crown, more especially as the name affixed to the legal receipt obtained at the Crown-office has since appeared to be a forgery, the petitioner humbly prays that the House will cause an inquiry to be made into the above facts, and relieve him from the danger to which he conceives himself exposed from the fictitious signature to the receipt, and from the misapplication of his fine."

Ordered to lie upon the table.

MUTINY BILL.] On the motion for the third reading of the mutiny bill,

Mr. Gurney rose and stated, that on the suggestion of the noble lord, the secretary at war, that ministers were making their arrangements for the peace establishment of the army, and that, consequently, when they brought forward their new Mutiny bill in June would be the more convenient opportunity to agitate the question, he should, in case the schedule marked B, permitting enlistments for life, unfortunately stood part of that bill, on the three grounds of its being a gross violation of natural justice, of its being productive of an incalculable aggregate of individual misery, and of its being a flagrant intervention on the constitutional law of England—move, that that clause be in that bill omitted.

The bill was then read a third time.

HOUSE OF LORDS.

Tuesday, March 18.

PERSONAL TREATMENT OF BUONAPARTE AT ST. HELENA.] Lord Holland rose, pursuant to notice, to move for papers connected with the personal treatment of Napoleon Buonaparté at St. Helena. Humanity alone might justify this motion referring as it did to the individual who had in so extraordinary a manner been exiled to the island of St. Helena: but his chief, if not his only motive for bringing the subject under their lordships' consideration was, to rescue the character of parliament, of the Crown, and of the country, from the stain which must attach to it if any harsh or ungenerous treatment had been resorted to with respect to it. He certainly felt, however, that the cause might suffer from being undertaken by himself, differing so widely as he did from his majesty's government both on questions of general policy, foreign and domestic, and on the particular policy which they had pursued in the detention and exile of Napoleon Buonaparté. He felt it necessary, therefore, before he proceeded to state the grounds of his motion distinctly to disclaim any intention at the present moment of renewing the discussion on that policy. However proper it might be on other occasions to agitate that topic, it was his wish that it should have no connexion with his present motion. It was not with the vain hope that he could produce any alteration in the principles of policy on which ministers had acted with reference to the detention of Buonaparté, that he made this motion; and as little was it with the view of incul-

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pating the conduct of the gallant officer who was governor of St. Helena, and with many of whose good qualities he had the good fortune to be personally acquainted. It was not his intention to call on their lordships to change that plan of policy which they had been pleased to sanction respecting the detention of Buonaparté in his exile. Though he still retained all the opinions which he had formerly expressed on that point, he was not such a coxcomb as to suppose that after parliament had sanctioned the policy of ministers, and after the faith of the Crown and of the country was pledged to the proceeding, he was not such a coxcomb as to imagine that he could effect any change in it; the more especially when he considered that the opinion of the country (as he admitted that it did) went along with ministers on the subject. It was with no such intention that he brought forward his motion; and he disclaimed any such intention, not because there would be any thing in it of which any one ought to be ashamed, but simply for the reasons, which he had already stated. As to any other motives that might be insinuated against him, if his character and conduct were not sufficient to shield him from such imputations, certainly nothing that he could say would have an effect for that purpose. Trusting however that the character which he bore among their lordships would be a sufficient defence from such imputations, he felt himself fully authorized in treating them with the contempt which they merited. He had further to declare, that no hostility to ministers—he did not use the word hostility in an invidious sense, but meant fair political hostility,—was the cause of his bringing this subject before their lordships. Had he concurred with them in the policy of detaining Buonaparté, instead of disapproving, as he did, of that policy, it would not only have been consistent in him, but it would have been still more incumbent on him to bring forward this motion.

Having said thus much to guard himself from misrepresentation on a subject on which misrepresentation would be so apt to go forth, he would proceed to state the relation in which Napoleon Buonaparté stood with respect to this country and its government, and the ground of the measures adopted with respect to that personage, as represented by ministers themselves at the time the act relative to him was passed; and as they were understood

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by the people. To use the language of the legislature itself then, Buonaparté was so detained and so exiled, on the principle of necessity; because it was necessary for the tranquillity of Europe, and, through the tranquillity of Europe, for the safety of this country, that he should be thus detained. Owing, it was said, to the character of the man, and to the events which had occurred in Europe, it became necessary that this extraordinary person should be detained in this extraordinary manner; and an act of parliament was passed for that purpose; parliament in passing it undoubtedly never contemplating that any more severity was to be used than was actually required for the purposes of safety. In justice to ministers themselves, and especially to the noble earl at the head of the colonial department, he must admit that they stated the proceeding as a matter of necessity.

If, then, the detention of Napoleon Buonaparté was a matter of necessity, necessity, as it had been well said on another occasion by the noble and learned lord on the woolsack, must limit what necessity had created; and it became incumbent on ministers to show that beyond this necessity they had not proceeded. In stating necessity as the ground of detaining Napoleon Buonaparté, the statement had been accompanied by the observation that the spot in which he was to be detained, had been chosen for this among other reasons,—that there a greater degree of personal liberty might without danger be allowed him. In other respects St. Helena was ill-chosen for this purpose; as the choice was attended by considerable inconveniences, and by an expense of from one to two hundred thousand pounds a year. He might be mistaken as to the precise sum; but unquestionably the expense of the custody of Buonaparté was considerably greater at St. Helena than it would have been in most other situations. If it were at all necessary therefore to impose harsh restrictions on this individual, St. Helena must, after all, have been very ill chosen. But, it ought to be kept in mind, that the act of keeping him there was the act, not only of the executive government, but also of the legislature. Parliament was a party to it; and it therefore became the duty of parliament, if, contrary to its intention, the personage so detained met with any unnecessarily harsh treatment in his confinement,—and he further contended, that if rumours and reports were in cir-

ulation, attended with any degree of plausibility, and calculated to produce in this country, in Europe, and on posterity, the impression that unnecessarily harsh and cruel treatment had been resorted to, it became the duty of parliament to investigate the facts, and to ascertain whether those rumours were or were not well founded; in order that if not true, they might be contradicted; and that if true, measures might be adopted, without a moment's delay, to apply the proper remedy. If such reports and rumours were allowed to remain uncontradicted, when thus plausibly introduced to public notice; the opinion of this country, of Europe, and of posterity would be that they were not without foundation, and a deep stain would rest on the character of the British nation.

What, then, were the reports to which he had alluded? And why had he not till now brought forward the subject? He admitted that such reports had reached him in the course of the last three or four months from a variety of quarters. It was a matter of notoriety that he had opposed the detention of Buonaparté, and had entered his protest against it in their lordships journals. For these, and for other personal reasons, it was perhaps natural that complaints respecting the treatment of that individual should reach him sooner than they did the public in general. No doubt many communications on the subject had been made to him; and from whatever quarters they came, he did not think that in a matter where the justice and character of the country was concerned, he ought to have shut his ears against such communications; but as long as they appeared to him to be destitute of real ground of authenticity, he did not think himself called upon to bring them in this way before their lordships. But when, in addition to these rumours, a paper fell into his hands, containing the same complaints, and purporting to have been written by general count Montholon, and addressed by him to the governor of St. Helena, by the order and direction of Buonaparté—a paper which at that time he had reason to believe, would be made public, and which had been since made public—he then thought that the complaints had assumed a shape which rendered it necessary to call their lordships attention to the subject. He certainly lamented the publication of such

statements, until by their being noticed in parliament that publication might have been accompanied with the refutation which he trusted they would receive. God forbid they should be found to deserve implicit credit. He hoped that they would meet with the fullest and most complete contradiction: but they did appear to him to have assumed a shape which, if they remained uncontradicted, would in the opinion of the people of this country, in the opinion of Europe, and in that of posterity, afford ground for believing that harsh, cruel, and unjust usage had been experienced by Napoleon Buonaparté in his confinement; and thus a deep and indelible stain might, in history, be fixed upon the character of the British nation. He had, therefore, brought the matter before their lordships, that such reports, if untrue, might be promptly contradicted; and, if true, that no time might be lost in correcting the abuse.

He would now state what the reports were; and if the facts were as represented in these reports, he contended, that they did exceed the limits of that necessity upon which the legislature was induced to pass the act. First, then, with respect to the liberty allowed to Buonaparté, as to the several parts of the island itself; the letter of Count Montholon stated, that a very considerable restriction had lately taken place. The climate of the island, as had been often asserted when the bill was in progress, was in general, he believed, good: but that was not the case with the higher grounds, to which Buonaparté was said to be confined; the dampness of which was calculated materially to aggravate the evil of confinement; and the restriction lately resorted to was, in that respect, a severe hardship; for the hours fit for exercise in such a situation were those during which no ingress nor egress was permitted to or from the house at Longwood. One of two things must, therefore, follow—either that St. Helena was very ill chosen as the place of detention; or that Buonaparté was confined with unnecessary rigour. Another restriction which certainly was not in contemplation when the act passed, was stated in the letter of count Montholon, namely, that Napoleon Buonaparté was not permitted to receive such books, journals, newspapers, and public prints, nor to subscribe for such publications, as he thought proper. He was utterly at a loss

to imagine what reason could exist for refusing to Buonaparté the permission of obtaining such journals as he wanted, in order to afford him information respecting recent events; nor could he regard such a restriction, if it existed, in any other light than as a needless aggravation of the calamities of the prisoner. To a person with the prospect of a long life, it was a most cruel and unnecessary hardship; and if there had been no other complaint than this alone, it ought to be contradicted, or the proper remedy applied.

Another more important complaint was, however, stated, and one in which the subjects of this country were deeply concerned, especially at the present period, when ministers had been invested with such extraordinary powers, namely, the intercepting of any sealed communications from Buonaparté to the great and illustrious person at the head of the government, acting in the name and on the behalf of his majesty. Was it to be endured, that persons placed in confinement should not have the means of forwarding their complaints to their sovereign, or that when possibly the subject matter of that complaint might involve the conduct of the individual in whose custody they were placed, that individual should have the power of inspecting the contents of the letter, and that thus in consequence the treatment of the prisoner might be rendered more harsh and vexatious? He knew of no law under which such an authority was derived. In his view of this proceeding, it was an improper and illegal interference with the royal prerogative. No one would accuse him of having any wish to extend the prerogative beyond its due limits; but the prerogative, within its just limits, was granted for the benefit of the public; and in this country, where imprisonment was regarded with such horror, that to a prisoner confined for life without trial, the law never contemplating the case, had afforded no remedy; a prisoner confined in this manner would surely be considered as entitled to every degree of humanity consistent with his situation; and no one had a right to withhold from the Crown any application for mercy or pardon. It might, however, be said, that some rule or point of etiquette was opposed to communications sealed up; but, as to that matter, there was nothing to prevent the sovereign from exercising his own judgment. If a person in Buonaparté's situation wished to apply to the sovereign, it might be for the

purpose of complaining of the individual under whose charge he was placed; and to say, that he should be compelled to send only an open paper, when the very person to transmit it might perhaps be the person complained of, would be monstrous and unjust. It ought also to be recollected, that the foundation of the detention was necessity and danger to this country. Now, where could be the danger to this country, or the necessity for the purposes of detention, in permitting a sealed letter to be conveyed to the sovereign? If such were the rule—for it could not be law, that applications by sealed letters could not be made to the throne—such a letter might, at least, be sent to the secretary of state unopened and unexamined. This was a most important subject with reference to the subjects of this country. All prisoners were entitled to solicit the clemency of the Crown with a view to the mitigation of their situation, and in no quarter could they possibly receive a more benevolent attention than from the illustrious personage now at the head of the government. If, then, the governor of St. Helena was instructed to permit no sealed communication to the sovereign to pass through his hands, it was an infringement of the royal prerogative. He admitted, however, that an unrestrained and indiscriminate intercourse with other persons was not compatible with the safe custody of a person confined for the reasons given for the detention of Buonaparté, but it appeared to him, that even that principle was carried too far, if the report were true, especially as the restraint went to deprive Buonaparté of the gratification of reading such publications as he thought proper.

It was a great hardship also, and one which was not contemplated at the time of passing the act, that Buonaparté was deprived of the means of communicating facts connected with his public life. If he were unrestrained in this respect, he might make communications which would shake some of the grounds on which the act was passed; and it was certainly a great hardship, that in a country where it had been much the fashion to load him with obloquy, he should be deprived of all remedy, and should not be allowed the means even of refuting calumny. This was not necessary for the tranquillity of Europe. He recollected, that he recommended, when the bill was in progress that Buonaparté should have the power of

bringing a civil action, but the bill passed without giving him that advantage. If this restraint was intended to prevent his giving an account of the events of his extraordinary life, the restraint was an injury not merely to him, but to the public and to posterity; though, if it should be proved that the restraint was necessary for his safe custody, that inconvenience must be submitted to.

He now came to another subject of complaint, namely, the curtailing of the expense of Buonaparté's establishment. It might perhaps be said, "Do you, who have been preaching up economy and retrenchment complain of the diminution of expense?" His answer was, that he did not wish that sixpence should be expended in this way. He disapproved of the detention altogether. But the statement made by count Montholon was, that the expense being 20,000*l.*, this country declared that it could afford no more than 8,000*l.*, and that Buonaparté himself must find the other 12,000*l.* It might be said, that 8,000*l.* was amply sufficient; and so it probably would be in any other situation; but at St. Helena, if the report was correct, even 20,000*l.* was hardly sufficient. And here he could not help just remarking, though it was rather out of his way, that even while Buonaparté was at Elba, the question whether he ought not to be sent to St. Helena was discussed at the congress of Vienna. He believed, at least, that the point was there mentioned and discussed; and he knew that out of the congress, it was stated to have been there mentioned, and discussed even at that time. That, however, was beside his present purpose. But if an extraordinary expense was necessary, it should be kept in view; that it was owing to the place where Buonaparté was confined; and it was unworthy of a great country, first to say, "I will place you in a situation where a great expense is necessary;" and then to come like a beggar and say, "You must yourself be at the greater part of that expense." He had been astonished when he saw this complaint, and had been inclined to discredit it, as he was now; but it came in such a shape, that it was necessary to mention it; and if it could be contradicted, that was a strong argument for his motion.

In bringing these statements before their lordships, he did not mention them as facts within his knowledge, or even as statements which he believed to be true;

but they had been laid before the public, and, if not true, it was proper that they should be contradicted; for any harshness of treatment, beyond what was necessary for the safe custody of the person, would be a stain on the character of the country. The best mode of proceeding would be to investigate the facts. When a clamour was raised in 1798 or 1799, respecting our treatment of prisoners of war, Mr. Pitt moved for a committee to investigate the facts, contradicted the statements, and extinguished that calumnious report throughout all Europe. This was what he now recommended. If the reports were untrue, let them be contradicted; if true, their lordships would express their disapprobation of the conduct which had been adopted, and apply the remedy. However they might now flatter themselves by aspersions on Napoleon, the judgment of posterity might not be the same on that subject. For instance, there could be no doubt that Mary queen of Scots was in the time of Elizabeth most dangerous to the country; and yet, who that had a heart alive to the dictates of integrity and humanity did not wish to obliterate from the page of history the cruel and harsh treatment of that queen? Who was there, with a just sense of the glory of the reign of the illustrious Elizabeth, that did not lament, not the unjust (for unjust it was not) but the harsh and ungenerous treatment of Mary? It would not be considered by posterity, whether Buonaparté had been justly punished for his crimes, but whether Great Britain had acted in that generous manner which became a great country. These were the views which they took of the past, and such would be the view which history would take of their conduct.

Such, then, were the grounds of his motion. It was made for the purpose of ascertaining how the facts really stood—to give an opportunity for contradicting the rumours which had gone abroad, if they were unfounded; and for applying the proper remedy, if they were true. If their lordships would acquiesce in the motion, and the reports should be contradicted, he would rejoice for the sake of the House, for the sake of the country, of parliament, and even of the noble lords opposite, particularly the noble earl at the head of the treasury; for, however they might have differed on political questions, the sense of friendship was not by that circumstance so deadened in his breast, that he could see, without pain, an immoral character

fixed upon any administration of which he was at the head. He ought to apologize for having taken up so much of their lordship's time; but he trusted that, in speaking upon a subject as to which misrepresentations were so likely to arise, it would not be considered as improper in him to have stated at some length the grounds of his proceedings, and the motives by which he was actuated. He would conclude by moving an address to the Prince Regent, that he would be graciously pleased to order to be laid on their lordships table—1st, Copies of all instructions to the governor or governors of St. Helena, as to the personal treatment of Napoleon Buonaparté. 2d, Extracts of all such parts of the correspondence as had passed between Napoleon Buonaparté and the secretary of state, relative to the expenses of Buonaparté's establishment. 3d, Copies of such letters or applications of Buonaparté to the governor or governors of St. Helena, with the answers of the governor, as had been received by the secretary of state. 4th, Copies of all such dispatches as had been transmitted to the secretary of state relative to the intercourse claimed by Napoleon Buonaparté to be allowed between his place of residence and other parts of the island, with any remarks by Napoleon on that subject. 5th, Copies of any dispatches to the secretary of state relative to applications by Napoleon Buonaparté to the Prince Regent. Some of those who had chosen to follow the fortunes of Buonaparté had children; and it had been stated, that their parents had manifested an anxiety to have the means of religious instruction for these children, but that there was no clergyman of their persuasion in the island; and therefore, he moved, 6thly, for copies of all dispatches from the governor of St. Helena to the secretary of state, respecting any application by the persons in question, on the subject of religious instruction for themselves or their children.

The first of these motions being put, Earl Bathurst rose. He said, that in part, he agreed with the noble mover's observation, that an opinion respecting the justice or injustice of the detention of Napoleon Buonaparté should have no effect on the discussion of the present question. He had no hesitation in agreeing with the noble lord, that those who considered the detention of Napoleon Buonaparté not only necessary, but just, might object to the mode of that detention;

but, on the other hand, he doubted whether those who objected to that detention altogether, could with a proper degree of impartiality consider the propriety of the mode of detention. The noble lord had recorded on the Journals his protest against the detention of this individual, as being contrary to the principles of justice and humanity. Holding such an opinion, it was hardly to be conceived that the noble mover could discuss with a due degree of impartiality the restrictions imposed upon this prisoner, while he conceived restrictions of any kind soever to be inhumane and unjustifiable.

The noble mover had laid the foundation of his motion partly on a paper written by order of Napoleon, and signed Count Montholon, and partly on rumours which had reached him from other quarters. It was not his (Earl B.'s) intention to reply to these rumours, any more than to a paper signed by a man named Santini, to which no credit whatever was due. It was creditable to the noble lord, that he had not made that paper the foundation of his remarks, for no one looking at it for a moment, could fail to perceive that it was full of the grossest misrepresentations. He should therefore look upon that publication as disavowed, and totally unworthy of attention, and should confine his remarks to that paper which certainly was authentic, and which was signed by the Count de Montholon. He should first show to their lordships what the instructions to sir Hudson Lowe were, and he should then show that all the complaints contained in that paper written by order of Napoleon Buonaparté, either arose out of the due execution of those instructions (the nature of which was well known to Buonaparté himself), or were misrepresentations of facts, or were direct and absolute falsehoods. In the first place, as to the instructions to sir Hudson Lowe their lordships had been long in possession of these instructions, for when admiral Cockburn went out to St. Helena, instructions were given him which would apply to him while he remained there, and which would also apply to his successor after his departure. These instructions had been published on the continent, whence they had found their way to the papers in this country. That authentic copy had been long before their lordships, and it was the general opinion they contained nothing improper, considering the end for which they were drawn up. Those instructions considered Napoleon as

a prisoner of war, and consequently laid down this general rule, that all restrictions should be imposed which were necessary to secure detention, but that no restrictions should be imposed which were not necessary to that detention. This principle he was prepared to show had actuated all the instructions from his majesty's government, and all the steps which sir Hudson Lowe had taken in pursuance of those instructions. Up to this moment he was prepared also to state there had been no substantive alteration of those instructions. All the communications from the government to St. Helena had been rather in the way of explanation than instructions, and whatever change had taken place, either in the explanation of the instructions, or the execution of them, were to the benefit of the person who was the subject of it. He should classify the complaints made respecting the treatment of the individual, and should then read what parts of the instruction applied to these several heads of those complaints. The complaints which had been made, might be reduced under two heads—1st, Restrictions as to the communication of the prisoner with others, either in writing or personally; and 2d, those complaints which applied to the personal treatment of the individual himself. In the first place, as to communications with others by writing, the noble mover had stated that there was an utter impossibility of his communicating with his wife and child, or relations. Now he (Earl B.) should read the part of the instructions which referred to all communication in writing with the individual in question. The instructions were these—

“All letters addressed to the general, or to persons in his suite, must be delivered to the admiral or the governor, (as the case may be), who will read them before they are delivered to those to whom they are addressed.—Letters written by the general or his suite are subject to the same rule.—No letter that comes to St. Helena, except through the secretary of state, must be communicated to the general or his attendants, if it be written by a person not residing on the island; and all letters addressed to persons not living on the island, must go under cover to the secretary of state.—It will be clearly expressed to the general, that the governor and admiral are strictly commanded to inform his majesty's government of all the wishes and representations which the ge-

neral may desire to address to it. In this respect, they need not use any precaution; but the paper in which such request or representation is written, must be communicated to them open, that they may read it, and accompany it with such observations as they may think necessary."

Thus, then, when Napoleon Buonaparté represented that it was impossible for him to write to those to whom he wished to write, it was not true. If he meant to say, that he could not write without those letters being opened, that was merely in conformity to the instructions which had been delivered to the governor. But he had no right to represent that as an absolute prohibition, which was only optional. The next complaint was, that he had not received letters from his relations and friends in Europe, and that it was impossible for him to receive them. This was not true—It was not impossible for any of his relations and friends to communicate with him, if they chose to send their letters to the secretary of state, where they would be opened, and afterwards undoubtedly would be forwarded to him. But there was one preliminary to his receiving letters from his friends, which was, that his friends should write to him, and the fact was, that only one of his relations had written to him—namely, his brother Joseph, whose letter reached the office in October last, where it was opened, and immediately forwarded to him. Another complaint of the same nature was, that he was not permitted to send a sealed letter to the Prince Regent. Of course, sir Hudson Lowe, if any application had been made to him, would have obeyed the instructions which had been read to their lordships; but, in point of fact, no application had been made to sir Hudson Lowe on that subject. An application had indeed been made to sir G. Cockburn, he believed from count Bertrand, to know, whether if a letter were written by the emperor to the Prince Regent, he would undertake to deliver it without suffering it to be opened by any person. Sir G. Cockburn, of course, could give no such assurance; but all that he could do was, to communicate the substance of his instructions respecting letters written by general Buonaparté, and then leave him to his judgment how he might act. Since that time, no farther application of that nature had been received.—In directing that any complaint against the conduct of the governor towards ge-

neral Buonaparté, sent to the government in this country, should be left open, there was not any discretion remaining with the governor, whether he would or not transmit it; but at the same time, he was allowed to enter into an explanation of the allegations contained in the letter. The object of this regulation was, on the one hand, to protect the governor against frivolous charges; and, on the other hand, if any grave charge could be adduced, to insure relief sooner than would otherwise be possible, because it would not be necessary to send back to St. Helena to inquire into the truth of it, before steps could be taken to remove the inconvenience complained of. It was in that sense that this part of the instructions had been taken by general Buonaparté, as might be inferred from a letter of sir G. Cockburn to him, of which he should read a passage. The passage ran to this effect:—"I have no hesitation in agreeing with you, that the spirit which influenced his majesty's government in this part of their instructions, was the desire of speedily remedying any inconvenience you might have to complain of: but though the spirit is favourable to you, they do not lose sight of the circumstance, that is due in justice to me and my successors, to prevent any complaint against us from being known in Europe for six months, without being accompanied by any observation from us."—Now it was clear, that, as the governor was bound to send every charge against him to Europe, general Buonaparté had no reason whatever to complain. As to the sealed letters to the Prince Regent, he could only say, that if sir G. Cockburn or sir Hudson Lowe had thought fit to allow any such letters to come to Europe sealed up, he (earl B.) should have felt it to be his duty to open them. He agreed with the noble mover, that if he had prevented any such letters from reaching his royal highness, he should have been guilty of a base and unwarrantable breach of duty; but at the same time, in this country, where the ministers were responsible for the acts of the sovereign, he did not know how he could discharge his duty, if he did not make himself acquainted with the nature of such communications.

The next complaint of general Buonaparté was, that when he had requested to have some books from Europe, those which referred to modern times had been kept back. The fact was this:—Soon

after his arrival at St. Helena, he expressed a wish for some books to complete his library, and a list was made out by general Buonaparté himself, and transmitted to this country. This list was sent to an eminent French bookseller in this town, with orders to supply such of the books as he had, and to obtain the rest from other booksellers. As several of the books were not to be obtained in London, the bookseller was desired to write to Paris for them. He accordingly obtained some of them from Paris, but others of them could not be obtained; those which could not be procured were principally on military subjects. These books, to the amount of 13 or 1,400*l.* worth (which the letter called "a few books"), were sent, with an explanation of the circumstances which prevented the others from having been sent. This anxiety to attend to the wishes of the individual in question, was not at all taken, in the paper he had referred to, as an excuse for the omission. A complaint, connected with this, was, that newspapers had been withheld. As to this, he should say, that if the noble mover thought that general Buonaparté should be furnished with all the journals he required, he (earl B.) had a different sense of the course which it was proper for him to pursue. And this opinion was grounded on the knowledge, that attempts had been made, through the medium of newspapers, to hold communication with Napoleon.

The next complaint was, that he was not allowed to open a correspondence with a bookseller. Now this was not true, unless it meant that that correspondence could not be carried on under sealed letters; for there was no reason for preventing that correspondence, unless it was carried on in that particular manner. It was also said, that he could not correspond even with his banker or agent. Now it was, in point of fact, open to him to enter upon any such correspondence under the restrictions he had mentioned; and there was no reason why a letter to a banker should be sent sealed up. He (earl B.) did not deny that, on a correspondence between friends, the necessity of sending letters open was a most severe restriction, because it was impossible to consign to paper the warm effusions of the heart, under the consciousness that it would be subject to the cold eye of an inspector. But this, surely, did not apply to a correspondence with a banker. Who had ever heard of an *affectionate* draught on a

banking-house, or a *tender* order for the sale of stock?

He now came to the most important charge, which was, that the letters sent by general Buonaparté, or persons of his suite, were read by subaltern officers on the island. This was not true. Sir Hudson Lowe had exercised the trust reposed in him with the utmost delicacy; and when any letters were transmitted through his hands, had never permitted any individual, however confidential, to see them, whether they were addressed to individuals at home or at St. Helena. It was difficult to know on what such general charges were founded, but the following occurrence was the only one which he could conceive to have any reference to it:—When Napoleon and his suite were first sent out to St. Helena, from the haste in which the ships sailed, they were left in want of many necessities, such as linen, and other articles of that kind. It was judged that great inconvenience might be felt, if they were obliged to wait till they could send to this country for them, and accordingly a considerable quantity of such articles were sent out in anticipation of their wants. It so happened, that about the time when these articles arrived, Las Cases wrote a letter to Europe, which of course came under the inspection of sir Hudson Lowe, who found that it contained an order for some of those very articles which had been sent out. Sir Hudson Lowe then wrote to Las Cases to inform him, that he had those articles which he had ordered, and which were much at his service; and observed, that it would not perhaps be necessary to send the letter, or that he might now omit that order. Las Cases returned an answer full of reproaches to sir Hudson Lowe, for his presumption in reading a letter directed to a lady, and for offering him articles out of a common stock, when he knew that he had been solely supported by the emperor. Thus was sir Hudson Lowe treated, for his endeavours to accommodate these intractable people, and such was the only foundation for this part of the charge.

The next complaint was in these words:—"Letters have arrived at St. Helena for general officers in the suite of the emperor—they were broken open and transmitted to you; but you refused to communicate them, because they had not been received through the channel of the English minister. They had to travel back 4,000 leagues, and these officers en-

dured the mortification of knowing, that there existed on the island accounts of their wives, their parents, and their children, of which they could not be informed in less than six months. The heart revolts at such treatment!" Now this was a direct falsehood, for which there was not the smallest foundation. Sir Hudson Lowe, on seeing this passage in the letter, wrote to Montholon, saying there was no foundation for this charge, and calling on him to adduce any one instance. No instances had been given, no answer had been returned, and the reason was this, that the assertion was absolutely false. Indeed, in the voluminous papers which had been transmitted from St. Helena, nothing was more painfully disgusting than the utter indifference to truth shown throughout.

Having said thus much as to the restriction on communication by letter with general Buonaparté, he should proceed to the complaints of restraints on his personal intercourse with others. He should read the part of the instructions which referred to this subject, and which had been a year and a half before the country, and to which no objection had ever been made. The words were these:—"When ships arrive, and as long as they are in sight, the general must remain confined within the boundary where sentinels are placed. During this interval, all intercourse with the inhabitants is forbidden."

Such was the letter of the instruction, but the execution of it had been very liberal; persons who arrived at the island were, on procuring a pass from the governor or admiral, permitted to go up to Longwood, but to prevent the privacy of the general from being broken in upon by the curiosity of individuals, they were prevented from going to Longwood, unless they obtained the previous consent of count Bertrand, or some of the individuals near his person. The complaint that all intercourse with the inhabitants was prevented was untrue. It was true that the inhabitants could not approach him without a pass, but there was no instance in which a pass had been refused, or that any had been prevented from going to him, but those who had been detected in attempting to approach him in disguise, or in false characters. It had been also said that he had been prevented from having any intercourse with the officers of the garrison. There was no foundation for this. He had on one occasion entered

into conversation with an officer of the 53d regiment, in which he bestowed high praises upon that regiment and its officers (none of which could be too high for their deserts), and then expressed a regret that all intercourse with them was interdicted him. The officer assured him that no such interdiction existed, at which he expressed some surprise, but since that time he had not more frequent communication with them than he had previously, when he supposed the prohibition which he so much lamented, to have existed.

He had thus answered the complaints of restrictions on the communication of Buonaparté with individuals either by letter or personally, and he should next advert to the charges respecting his personal treatment. The instructions on this subject were these: "The general must always be attended by an officer appointed by the admiral or the governor, as the case may be. If the general is allowed to go beyond the boundary where the sentinels are placed, he must be accompanied by one orderly man at least." Now the practice had been, that during the first period of his confinement he had a circumference of no less than twelve miles, in which he might ride or walk without the attendance of any officer, and that range was not reduced till it had been found that he had abused that confidence reposed in him by tampering with the inhabitants. That range was now reduced to eight miles instead of twelve, and within that boundary he might at present walk without the attendance of any officer. Beyond those limits he might go over any part of the island, attended by an officer of rank not lower than a captain in the army. On this ground, therefore, it could not be objected that there was an unreasonable degree of restraint.

The next complaint which the noble mover had urged was, that general Buonaparté could not move out of his house at the only time when exercise was healthy in that climate. Now the fact was, that though he had not free passage through the island after sun-set, he might at any hours walk in his garden. Sentinels were stationed there after sun-set, and he expressed his dislike to walk when he was thus watched. Sir H. Lowe, with every desire to attend to his wishes, after that fixed the sentinels in places where they would not look on him. Would their lordships wish these sentinels to be removed altogether just at the time when it was most likely

that he should escape? Let them suppose for a moment, that instead of debating on the motion of the noble lord, that intelligence was brought them by Sir Hudson Lowe that general Buonaparté had actually escaped. Let them suppose, that instead of sitting to discuss whether a little more or little less restriction should be imposed, that they had thus to examine sir Hudson Lowe at their bar. How and when did he escape?—In the early part of the evening, and from his garden. Had his garden no sentinels?—The sentinels were removed. Why were they removed?—General Buonaparté desired it—they were hurtful to his feelings, they were then removed, and thus was he enabled to escape. What would their lordships think of such an answer? He begged them to consider the situation of sir Hudson Lowe—in what a painful and invidious station he was placed. If general Buonaparté escaped, the character and fortune of sir Hudson Lowe were ruined for ever.

It was now said in the Memorial, that the residence pitched upon for general Buonaparté was unpleasant and unwholesome. He could only say, that this was not the general account of that place. It had formerly been the house of the lieutenant-governor, and it was not the custom for lieutenant-governors to choose the most unpleasant and unwholesome spots. Neither had this been the former opinion of general Buonaparté himself. When the general had first been sent there, it was left to the discretion of sir G. Cockburn to fix on a residence for him, with only one exception, namely, the house of the governor. That choice was to be directed by a view to the safe custody, and as far as was consistent with that, by the consideration due to his comfort. Soon after his landing, general Buonaparté rode out with sir George Cockburn, till he reached Longwood, with which, at first sight, he was so much captivated, that he wished to remain there, and not to go back to the town. He was told that it would be impossible so soon to remove the lieutenant-governor's family. He then wished a tent to be erected, which it was also represented would much incommode the lieutenant-governor, but he was assured that the occupants should be removed as soon as possible. As they returned they came to a house prettily situated, which belonged to Mr. Balcombe, near which a detached room had been built. General Buonaparté expressed a wish to occupy that

room, and after sir G. Cockburn had in vain endeavoured to dissuade him from it, he took up his abode there for the time. It was but two days after, however, that his attendants complained of this harsh usage, as they termed it, in placing the emperor in a single room. This was the manner in which the compliance of sir G. Cockburn was received. So many alterations were made at Longwood, that general Buonaparté remained in that room two months. Constant improvements or alterations were made at Longwood, suggested by himself or his suite, which delayed his removal; for the fact was, that he was unwilling to remove from Mr. Balcombe's, on account of the facility of communication with the town. During his residence there he was circumscribed to a small garden, beyond which he never moved without a guard; he did not, however, at that time, make any complaint; but he now, for the first time, complained of restrictions on his liberty, when he was allowed to range within a circuit of eight miles, if he pleased unattended. When the prisoners were first sent to St. Helena, orders were given to send out a frame for the purpose of constructing a house for general Buonaparté. When the materials arrived, sir H. Lowe wrote to the general, whether he would like to have a new house erected, or additions made to the old one. He received no answer; in two or three weeks he went to the general to endeavour to obtain a decision from him. The general at last answered, that if he were to answer him officially he should say, "build a new house;" but as that must take five or six years, and as he knew that in two or three years either the administration in this country would be overturned, or a change would take place in the government of France, and in either case he should be released, he was privately of opinion that addition should be made to Longwood. As this was all the answer sir Hudson Lowe could get, he proceeded to make alterations in the present house. General Buonaparté then objected to this, though it was done by his own desire, and for the purpose of lodging his attendants. He (earl B.) did not object to general Buonaparté's choice either of the new house or the old one, or between alterations and no alterations, but he objected to this—that every attempt to render his residence convenient was made the foundation of a charge against the governor, and that he watched the moment when an attention was paid to his wishes, to

make that very attention a source of complaint.

He should now advert to the subject of the expense bestowed on the maintenance of this individual; but he should previously mention the rumour that St. Helena had been mentioned at the Congress of Vienna, as a place to which Buonaparté might be removed from Elba. This was really one of those rumours from foreigners to which the noble lord lent too ready an ear—

Lord *Holland* "I have not received this information from foreigners alone."

Earl *Bathurst*. It was of no consequence whence the intimation came. It was altogether groundless. There was no mention at the congress of such a proposition. As to the expense of the establishment of general Buonaparté at St. Helena, it had been at first from the want of arrangements for regular supplies, unavoidably great; but it had always been in contemplation when those arrangements were made that the expenditure should be considerably reduced. The permanent expense of the establishment of Buonaparté had from the first been fixed at 8,000*l.* a year, though it was of course contemplated that the first year would much exceed that expense. In fixing that allowance, the government had been somewhat guided by the expenses which the governor of the island had been found to have incurred. That governor was paid by the India company; his salary was 1,800*l.* a year, and his table expenses were paid, as he was bound to receive and entertain all the passengers in the company's ships touching at the island. Those table expenses had been found on an average of years to be 4,700*l.* a year, in all 6,500*l.* which was regarded as a fair criterion of the expense of supporting an establishment on that island. As general Buonaparté was not subject to those expenses which the governor had been obliged to incur, 8,000*l.* a year was deemed a fair allowance; that estimate, it was to be remembered had been given in to the other House of Parliament as the probable expense of that establishment, and the instructions of sir H. Lowe on this subject were founded on it. This sum was considered sufficient to provide general Buonaparté with all that could be considered as suitable for a person in his situation. Instructions were, however, transmitted to the governor, informing him if it required more for the support of general

Buonaparté than what had been considered sufficient for that purpose, if he thought any additional luxury necessary beyond what could be provided for the sum fixed in this country, his majesty's ministers were inclined to allow it. Sir Hudson Lowe, in answer, said he thought the establishment of general Buonaparté could not be suitably provided for under 12,000*l.* a year. An intimation was immediately given that the sum of 12,000*l.* was agreed to by his majesty's ministers. If their lordships considered this too small a sum for the expenses of general Buonaparté, he only wished them to recollect that sir H. Lowe himself was only allowed 12,000*l.* for himself and his staff, and all his other expenses, of whatever nature they might be. A fortnight after the receipt of the letter from this country, general Buonaparté entered into a negotiation with sir Hudson Lowe, in which he undertook to furnish the whole of his expenditure, amounting to 17 or 18,000*l.* himself, if he had permission to correspond with any banker, provided the letters were allowed to be sealed, and provided all the money so received should be wholly at his disposal; and so confident was he that he had this money at his command, that he offered at once to draw for it, and he assured sir Hudson Lowe that he might advance the money with safety, because he had no doubt that his draught would be accepted. In stating this, he did not mean to say, that because general Buonaparté possessed funds, and even large funds, that therefore the government of this country ought to make him pay for the expenses of his establishment out of these funds; but he said this, that having given him so high an allowance as 12,000*l.* a year (such an allowance as they gave to their own governor, who was exposed to great expenses, and who had to receive the visits of the inhabitants, and of the commissioners of the allied powers) if this sum was sufficient for the governor, it was sufficient for general Buonaparté; and, if he wished for more than this, it ought to come out of the funds, and large funds, at his own disposal.

There was one other point which he should notice, as it related to a statement in a publication formerly mentioned by him—that one bottle of wine a day only, was allowed for each person, and that if this allowance was drunk by any of the individuals on the establishment—he could get no more. In order to ascertain the

expenditure of any establishment, it was usual to calculate on a certain quantity of such things as were used for each individual, per day. It was by no means intended, that the same quantity should always be drank by each individual. With respect to the calculation of one bottle per day, for each person, it was one which would be considered in this country as not an unfair one—this was the allowance for the king's table. A bottle a day, for each person, was considered by the officers of the British army as sufficient for the supply of their messes—sufficient for themselves, and for such company as might be invited to their mess: it was not usual to allow more one day with another to any person in the prime of life. But to show how liberally the allowance to general Buonaparté was calculated, he should read to their lordships an extract from the estimate for his table, in which this very article of wine was minutely specified. There was an allowance of strong and of weak wine. The quantity of weak wine was 84 bottles in the course of the fortnight; but he should put that out of the question, and merely state the quantity of the other description of wine. Of that better sort of wine, there was no less than 266 bottles, in one fortnight, applicable, wholly and entirely to general Buonaparté and his attendants. The particulars were—7 bottles of Constantia (or 14 pint bottles), 14 bottles of Champaign, 21 bottles of Vin de Grave, 84 bottles of Teneriffe, and 140 bottles of Claret. In all 266 bottles. The number of persons connected with general Buonaparté, excluding those of tender age, amounted to nine, so that there was an allowance of nineteen bottles in one day for ten persons; and taking one day with another, the allowance might be considered two bottles a day for each grown person; which he was sure was as much as would satisfy the noble lord's wishes either for himself or for any person in whom he was interested. In addition to this quantity of wine, forty-two bottles of porter were allowed every fortnight, being at the rate of three to each individual. From this statement he was convinced that their lordships would see there was no reason to complain of an inadequate or scanty supply. Indeed, on the consideration of the whole case, he felt convinced, that the House would perceive no severity, no harshness, nothing but the enforcement of restrictions necessary for the safe custody of our pri-

soner. Those persons who were placed under his control, had behaved in the most insolent manner towards the governor; and if their lordships were willing to lend an ear to every complaint proceeding from them, there would be no end of their complaining. The governor could not support his authority, or execute his duty, in keeping these persons in his power, with fewer restrictions than he had enforced, or with greater lenity than he had shown. It might be made a question, whether this person was to be detained at all; but if he was to be detained, proper means ought to be taken to secure him, and proper vigilance employed to prevent his escape; nor should any mistaken compassion be allowed to influence us to depart from this cautious and prudent course. It would be most unjust to throw a heavy responsibility on the governor, and at the same time prevent him from enforcing such measures as the secure detention of his prisoner demanded from him. If by our negligence Buonaparté were allowed to escape, we should not only incur the censure of those who now called for a relaxation of vigilance and restraint, but our conduct would be liable to misrepresentation throughout Europe: it would be asserted, that we intended to allow his enlargement for some purposes of our own; and we should be accused of acting under the most detestable hypocrisy, in first conveying him to that distant station, and in pretending to place him under restrictions, while we really wished his escape. Seeing, therefore, no ground whatever for the motion, he would give it his decided opposition.

The Marquis of *Buckingham* contended, that no one could hesitate to give his noble friend, who brought forward this motion, the greatest credit for good intentions and upright views. Nobody who knew the pure and honourable mind of his noble friend could for a moment doubt the integrity of his motives, or the laudable nature of the object which he proposed to accomplish: notwithstanding this, he (Lord B.) lamented that his noble friend had taken his present course, because he was afraid that his motives, honourable as they were, might be misrepresented, and his conduct lead to misconception both in this country and over Europe. He confessed that he himself did not come to the consideration of the subject with any of the feelings of his noble friend, or perhaps with those feelings that he ought to entertain. He

was willing to allow that he did not possess a mind entirely unbiassed; for, be it error, be it prejudice, or any feeling less defensible, he acknowledged that he could not bring himself to view this person or his fate without considering him as the most bitter and rancorous enemy that this country ever had. The question, in this case, was confined within narrow limits. The policy of his imprisonment was now not before the House: that had already been decided on. If imprisoned it was plain that he must be under restrictions of some kind or another, sufficient to guard against his escape. Would any person say that these restrictions were more than necessary for their object? Would any one say that he could be kept in safe custody without them? He (lord B.) did not believe so. For the unnecessary severity of these restrictions we had the authority of a paper signed Montholon. This paper was filled with complaints and accusations. Against it we now had the evidence of his majesty's ministers; who, in a case of this kind, might be expected to be cautious, deliberate, and guarded in their statements. Which was the House to believe—the ministers of the Crown, with all their responsibility upon them, and speaking from the most minute information—or this prejudiced individual? He could not hesitate for a moment. He did not think that ministers could be disbelieved; he did not see that it was possible to doubt their statements. He felt, that the paper which they had been called upon to answer was an additional insult to this country: proceeding from a person who had so often tried to insult it. He stated, "that he was not the prisoner of England;" that he had not surrendered to us, but that he repaired voluntarily and freely to England, to place himself under its laws, and to enjoy its liberties. He stated, that he had the option of surrendering himself either to Austria, Russia, or Prussia; and he invidiously insinuated that he would have found in any of those states a more honourable reception, greater kindness, or more justice, than with us. This he asserted with the recollection of his former history before his eyes. Had he tried the experiment he could not have found it successful. In Austria, instead of protection, he must have met with the deep rooted recollection of broken treaties, and of wanton aggression—the trace of the ruin he had created, and the hatred of the people whom he had insulted. Had

he sought an asylum in Russia, he would have found that the injustice of his invasion, and the burning of Moscow, were not forgotten by the inhabitants: and had he endeavoured to take refuge in Prussia, he would have been execrated as the person who had plundered the kingdom, and insulted its beautiful queen. He stated, that if he had surrendered to the House of Lorraine, "the emperor would have recollected the relations which religion and nature have formed between a father and a son; that he would have recollected that he restored him at Luneville, at Vienna, and had received protestations of his good-will at Dresden; that the emperor Alexander would have recollected the ties of friendship contracted at Tilsit, and during ten years of correspondence; and that upon his surrender to the king of Prussia, he would have recollected the protestations of attachment and sentiments of gratitude that he testified to him in 1812." But leaving out of his view all those who owed him such obligations, he chose to surrender himself to this country, and his demand on our generosity was certainly great, considering the grounds on which they were made, and the relation in which he stood to us. He had restored, according to his own declaration, their crowns to the sovereigns of each of the countries which he renounced, giving the preference to this; and what was the price he exacted from them for this kindness? Why, that they should join him in an alliance against that very country in which he took refuge, and which he afterwards abused. He now appealed to our feelings of compassion and justice, by telling us what stock of merits he had laid up with those whom he had prevailed upon to become our enemies, but to whom he did not choose to surrender; and adduced, as claims on our kindness, treaties that enforced the continental system against us, and were intended for our commercial annihilation. Considering that there was no ground for the present motion, considering the production of the papers as perfectly uncalled for and unnecessary, he would join the noble secretary in opposing the motion of his noble friend. He was of opinion that this person should be kept in close confinement, and that every restriction should be enforced, and every degree of vigilance exercised, that should be found necessary for that purpose. The severe and close durance to which general Buonaparté was subjected was not dictated by motives of

revenge, but of security; and he considered any measure justifiable which was necessary to prevent that man from again breaking loose and throwing Europe into agitation. It was a piece of political justice that we owed to Europe and the world. It taught a political lesson that should never be forgotten in this country or any other.

The Earl of *Darnley* did not feel that hostility towards the individual under confinement at St. Helena, professed by the noble marquis; and though he agreed with him that they were called on to take such measures as the security of his person demanded, still it was their duty to see that no unnecessary severity was used towards him. Feeling an anxiety for the character of the country, which was affected by the reports in circulation on this subject, he could not but be pleased that his noble friend had brought forward the present motion, which had afforded an opportunity to the noble earl opposite to make the candid and able statement by which the allegations on which the motion was founded were certainly entirely refuted. After the facts disclosed by the noble secretary of state, he did not think that his noble friend ought to press his motion any farther.

Lord Holland thought the charges were of such a kind and of such magnitude, that in opposition to one of his noble friends, he must persist in thinking that they called for contradiction; and, in opposition to the other, that they were not yet sufficiently contradicted. That contradiction ought to rest, not on the declaration of a minister, but on documentary evidence. He could not accept, therefore the compliments of the former to his motives, while he lamented his conduct; nor the thanks of the latter, for the statements which he had given the noble secretary an opportunity of making, while he did not think that statement satisfactory. He was not disposed to pay much attention to the construction that might be put on his motives: both because he was conscious of their rectitude, and because, in obeying them, he was convinced he had done an essential service to his country. No praise on the goodness of the intentions by which he was actuated would make him surrender the impression of the service he had accomplished. He rejoiced that he had made a motion which produced a contradiction of charges that were injurious to the honour of the country. He should

rejoice still more that documents were produced to disprove abuses; or if his exertions would tend, if they existed, to correct them. Whatever might be the result of their lordships deliberation, he enjoyed the satisfaction of thinking, that there was one individual in the country who could not hear imputations on our national character without calling for inquiry, and giving an opportunity of showing their unfounded nature.

The noble secretary had said, that those who were adverse to the confinement of Buonaparté at St. Helena, must necessarily be biassed in judging of the degree of restraint necessary for his safe custody. The noble secretary should at least give an opportunity of deciding whether too great severity had been used, by producing the documents he had moved for. He (lord H.) neither approved of the spirit of that speech, nor was convinced by its arguments. It seemed throughout to support the motion it was intended to oppose. The noble earl had contradicted the reports on which the motion proceeded, but would not produce evidence, to refute them. The noble secretary seemed to think, that the motion was one of censure, and not of inquiry—one that assumed the facts as true, instead of one that called for information. He had, therefore, answered his statements as charges, and not as grounds for examination. He (lord H.) moved for papers. What did the noble secretary do? Instead of producing them to parliament, he read his own justification from them by extracts, while he refused to lay the documents themselves on the table of the House. This was the most extraordinary and unjustifiable conduct that ever existed; a mode of proceeding which, till within these ten or twelve years, was completely unknown—that a minister should make use of documents not before the House, which he had an opportunity of quoting, stretching, or garbling at his pleasure. How did the noble secretary answer the charges? He refused the papers; and, as a man of wit and pleasantry, instead of allowing the justification of the absent to be heard, he cracked jokes upon an individual, whose character and person were in his power. If this was his glory, if this was his triumph, he did not envy him his feelings, or his taste.

The noble secretary had denied the papers, on the allegation that it would be six months before they could be obtained

from St. Helena; and during all that time the imputations against the government would remain uncontradicted; but what would he say to Buonaparté's situation, against whom the noble secretary had not only stated things that could not be contradicted, but whom, in his absence and in captivity he had made the subject of ill-timed pleasantry. The whole tenour of the noble earl's speech showed the propriety of the present motion. He (lord Holland) never stated that the accounts were true; and indeed he knew nothing about the statements that had been published, except that they were confirmed by private accounts from other quarters. He only said that they required contradiction; and however much he might admire the speech of the noble earl, he did not think the contradiction contained in it equal to a contradiction by documents. If the charges were light and trivial, why did the noble secretary take such pains to refute them? And if they were serious, why did he not give the means of rendering that refutation most effectual, by producing the papers? The contradiction ought not to rest on the breath of the noble lord.

He was not entitled, from the source whence he had received his information, to lay his authorities before the House; but notwithstanding the noble lord's assertion, he still believed that the sending of Buonaparté to St. Helena was a subject of discussion with the congress of Vienna. He had been told this circumstance before the battle of Waterloo, and he believed Buonaparté himself had heard of it. Gentlemen might think this very pleasant; they might think, perhaps, that Buonaparté had set such a rumour afloat merely from a wish to suggest it to congress? Was it not more probable that he mentioned it only after having had reason to suppose that such an arrangement was in contemplation? This however, was a point on which he would not enlarge, as it had no reference to his present motion, neither had his motion any reference to the Memorial of Montholon, or the other papers in publication. All that he wanted was, recorded documents against those rumours that affected the character of the country: all that he got was a speech of the noble lord instead of papers. This speech might probably be as convincing to his (lord Holland's) mind and the House as the papers themselves; but it could not be equally convincing to Europe and pos-

terity. Would posterity and the world look upon statements from the mouth of the noble lord as of equal authority with parliamentary documents, although substantially they might be the same?

The only ground on which papers could be refused was, that the charges were too trivial to deserve inquiry. He was far from thinking them of such a nature; they appeared to him to be of the greatest importance; and he could by no means agree in what seemed to be the sentiments of his noble friend, that now Buonaparté was sent to St. Helena, it was of no consequence how he was treated. His noble friend had alluded to Austria, Prussia and Russia, as states in which he could not find an asylum; but (and it was another ground of the present motion) he should not be surprised if a foreign power, affecting popularity, should make a remonstrance on the subject of his treatment. The speech of the noble earl would not be so good an answer to such a remonstrance as the papers; still less would it be as good if Buonaparté should happen to expire while these rumours were yet in existence. The noble earl had dwelt with much pleasantry on a person who was absent, and could not defend himself; and had taken up the defence of sir Hudson Lowe, as one who was exposed to the plots and insolence of his prisoner on the island, and to the suspicions of the people at home. Even the strictest confinement of his captive could not, it seems, relieve his fears; indeed he probably would be "afraid of this gunpowder Percy, though he were dead." Looking at it as a point of taste and feeling, he could not admire the attempt to turn into ridicule the ebullitions even of ill-humour in one so circumstanced, for, God knew ill-humour might be pardoned in a man who had met such dreadful reverses; and, however successful such an attempt might be, he should be sorry to have produced an effect by such means. He still adhered to the propriety of his motion, as he had seen and heard nothing to make it unnecessary.

The motion was negatived without a division.

HOUSE OF COMMONS.

Tuesday, March 18.

WELCH JUDGES]. Mr. Calcraft moved for a writ for the Election of a member to serve in the present parliament for the bo-

rough of Bridport, in the room of Mr. Serjeant Best, who, since his election, had accepted the office of second Justice, of the great sessions of Wales.

Sir *S. Romilly* took that opportunity of calling the attention of the House to the distinction made between the English and Welch judges with regard to the capacity of sitting in that House. The constituents of the learned serjeant himself had nothing to complain of, as it remained for them to determine whether their representative was likely to be as attentive to their interests as before his acceptance of this office; but the point was of great constitutional importance: and he had never been able to understand at what period this difference between English and Welch judges originated. The latter had duties equally arduous, although not so frequently exercised, as those of the former: they had to sit in judgment in cases affecting the property, reputation, and lives of his majesty's subjects. The due exercise of their functions required the same general qualifications, the same impartiality of character, and the same abstinence from party conflicts. He was, he confessed, at a loss to determine how such an irregularity could have ever been allowed by the constitution. The fact, however, unfortunately was, that they were considered not professional, but political offices; and were, he had reason to believe, not in the gift of the lord chancellor but of the first lord of the treasury. These observations were evidently not directed against the recent appointment of the learned serjeant, whose great practice and long experience fully qualified him for the situation. Whatever regret, however, the House might feel at the absence of his talents, he did not think it could be attended with much surprise. It could not have failed to have attracted notice, that the hon. and learned serjeant had some time since changed his original seat on the opposition benches, for one which might be regarded as neutral territory; and that he had subsequently removed to one which was not only nearer to, but was the very threshold of the treasury. The House, he thought, was bound to take into its consideration the propriety of suffering any man to unite in himself the characters of a member of parliament and of a judge. In point of practical consequence, it was undeniable, that those hon. members generally placed implicit confidence in the ministers of the Crown. He had heard of many visionary projects for parliamentary reform,

and he was sorry that such ideas had been entertained; but of practical and moderate reform, he had always been a supporter both in the House and before he had the honour to enter it; nor could he imagine any plan of reform more practical and moderate, or one calculated to give more general satisfaction, than the rendering ineligible those persons whose offices necessarily made them dependent on the ministers of the crown, and more especially all those who held judicial appointments.

Mr. *Abercrombie* was desirous of asking for information with respect to certain legal proceedings in the county palatine of Chester. He recollected to have heard his hon. and learned friend who had just spoken, when a new writ was moved for on the occasion of the present attorney-general being appointed to the office of chief justice of Chester, pointing out the possibility of his being called upon to sit judicially upon cases which it had been his duty to prosecute as attorney-general. If what he had heard was to be relied on, this conflict of duties had now arrived. He understood that several persons had been arrested within the jurisdiction of his court, and were about to be tried for offences against the state, which must have come under his cognizance as attorney-general. It was, he conceived, impossible that the hon. and learned gentleman should preside at those trials; and the result of this must be the loss to the state of his services, or the inconvenience of appointing a special commission. In the one case he supposed the duty must fall on the attorney-general of the duchy of Cornwall (Mr. serjeant Best); but he remembered an instance in which a former attorney-general of Cornwall (Mr. Adam) had deemed it becoming to resign that office on his appointment to a judgeship. However liable he might be to misconstruction in these remarks, he felt that it was impossible to be too anxious on so important a principle of the constitution; and he could assure the House, that he was at the same time expressing sentiments which were generally entertained by the profession to which he belonged.

The *Attorney General* said, that the hon. and learned gentleman was completely mistaken in supposing that any thing so indecent could be committed as that he, the king's attorney-general should direct prosecutions which he should afterwards try in his capacity as chief justice of Chester. If there were persons in custody in Ches-

ter, he was quite certain he should not hear a syllable upon the subject (except what might be matter of public notoriety), till he arrived there. In the last sessions at Chester, several persons were tried for a conspiracy, but of which conspiracy he knew nothing, until the matter was opened before him by the indictment; and the same course would be pursued on the present occasion, if the fact should be as stated by the hon. and learned gentleman. He should consider himself, or any other individual, unworthy to hold a situation under the Crown, if he could advise prosecutions, which were subsequently to be tried by himself. Were such a necessity inevitable, he should hold himself bound to resign one or other of the offices.

Mr. *Ponsonby* said, that the speech of the hon. and learned gentleman had proved beyond the possibility of doubt, that the two offices of attorney-general and of chief justice of Chester were incompatible. He could not, in fact, do his duty in the one capacity, but by neglecting it in the other; he could not execute his functions as chief justice of Chester without foregoing his duty as attorney-general. The principle was extremely wrong, and contrary to the direct nature and spirit of the constitution, that any person exercising judicial functions should have a seat in the House of Commons. He was surprised how the practice could have existed so long and if no other individual took the matter up, he would after the Easter holidays, propose a motion for disqualifying such persons.

Sir *S. Romilly* observed, that since the hon. and learned gentleman had been chief justice of Chester, some causes had been tried in which the Crown had a great interest relating to Delamere forest; the hon. and learned gentleman very properly abstained from sitting, and they were tried by one of the puisne judges, but the consequence was, that the Crown did not have the assistance which it ought to have had from the hon. and learned gentleman's talents.

The motion was then agreed to.

MOTION RELATING TO LOTTERIES.]

The Hon. Mr. *Lyttelton* rose, in pursuance of his notice, to call the attention of the House to the dangerous, immoral, and fraudulent measure so long established in this country as a financial arrangement, of raising money upon the people by way of lotteries. The prejudices that prevailed against a subject of this kind as well as

against any other which proposed any thing, that the gentlemen opposite were pleased to call "innovation," were very strong at this moment; indeed, he lamented to say, that there was a great inattention on the part of persons both within and without that House to every thing morally and politically connected with the means of raising of money. It was necessary, no doubt, that money should be raised to support the expenses of the state; but the utmost jealousy should be entertained by the people, and particularly by those who represented them in that House, that no taxes should be imposed that could be avoided, and more especially, that no mode of taxation should be adopted which would lead to the destruction of the morals of the community. It could not have escaped the notice of almost every gentleman, that it was usual to consider this subject as a sort of joke. The right hon. the chancellor of the exchequer, and those who sat beside him, had been used to say, "You only find fault with the lottery puffs;" this excited a laugh, and then the matter dropped. These lottery puffs were considered merely as so much nonsense which every body saw through and not as having any injurious tendency. He was fully persuaded, therefore, it must be the effect of evidence that would get the better of the habitual prejudice on this subject. Amongst the different expedients that were resorted to for raising money, it was said, that the lottery was the only one to which the people cheerfully assented, because it was a voluntary, and not a compulsory tax which could not be said of any other tax; but what had the two committees, who were appointed at different periods, to inquire into the consequences of this species of taxation reported to the House? They had stated, that this system was radically vicious; that it was as improvident as it was immoral; and, in the last place, that the manner of raising the money was, on all accounts, objectionable. There could be no doubt, that it produced every species of fraud and irregularity that could be imagined. He held in his hand a report, stating the gross amount of the revenue; and it appeared that the whole annual sum derived from this source, on an average of the last five years, did not exceed 550,000*l.* He believed, however, that this estimate was a good deal more than the lottery really produced in most years; but certainly, in the last year, it could not

be rated higher than 500,000*l.* This sum was raised on the public at a very enormous expense; the cost and charge of raising it amounting to 570,000*l.*; so that, in fact, the expense of its collection was greater in amount than the sum it brought into the exchequer. By the terms of the last lottery, a ticket, originally worth 10*l.*, was sold to the public at 23*l.*: and the sum distributed into prizes was so unequal, that four men were plundered to make one rich. Nothing could justify such a system as that pursued by the public contractors. The scheme of the lottery now about to be drawn, had been published in the London Gazette, and this made the sixth lottery within twelve months. If the right hon. gentleman did actually set his signature to that scheme, if he had really been guilty of that gross imposture and deception on the public which the scheme disclosed, he knew not in what parliamentary terms he could sufficiently reprobate his conduct. He trusted, however, that the exposure of this fraudulent scheme would have some effect on the public, if it had none on the virtuous mind of the right hon. gentleman. The chance of any great prize was about 71 to 1. The prizes, two of which were stated as at 40,000*l.*, two of 20,000*l.*, were not prizes in money but in stock; so that the grand total of prizes apparently (and no doubt so stated for the purpose of deception), was full 220,000*l.*, but in hard money amounted to no more than 106,000*l.*; and the worst of all was, that these great prizes were not convertible even into cash, but were to be kept in reserve, in part, to purchase shares in another subsequent lottery. By such false representations, many persons were induced to speculate in lotteries; and as the lottery contractors were too well aware of their own interest, to publish any thing that would tend to undeceive the public, they never permitted them to see the supplementary part of the scheme in the daily papers, so that none but persons fortunate enough to see the Gazette itself, were ever aware of the true state of the lottery. There were great numbers of very ignorant and illiterate people in the country, who might be induced to part with their money in this scheme; but as they were not aware that the contractors published a supplementary plan in the Gazette, they were unable to form any opinion as to the folly and madness of risking their hard-earned wages in this abominable speculation. But this de-

testable scheme of fraud made its appearance in the Gazette, and was actually recommended by the chancellor of the exchequer and the lords of the treasury—a scheme so exceedingly dishonest, and the approval of it so extremely unjustifiable, that every gentleman, in his private transactions, would be ashamed of putting his name to it. And yet, in the Gazette of that day, he found the following notice attached to the foot of the scheme:—

“After our hearty commendations, having considered the above scheme of the fifth and supplementary lotteries, to be drawn pursuant to the provisions of an act of 56 Geo. 3*d.*, we do hereby signify to you our consent and approbation of the said scheme.

“Whitehall, Treasury Chambers, the 11*th* day of March, 1817.

“N. VANSITTART,

“C. GRANT, junior,

“G. W. ODELL.”

The right hon. gentleman had taken some pains in promoting religious societies; he had attended Bible meetings, and made some eloquent speeches on religion and morality; he had professed the most lively interest for the comforts of the poor. But what did all this amount to? What would the House of Commons think, what could the people think, what could the right hon. gentleman himself think, of these gambling speculations? Did these fraudulent schemes accord with those pure notions of morality, of which he had for so many years been the advocate? But the House must not countenance such frauds; and as they could not expect to have another chancellor of the exchequer of such nice moral feeling, it was a strong argument against granting lotteries at present. With respect to the mode of drawing the lottery, nothing could be more mischievous than to employ boys who belonged to one of our noblest establishments, and who were thus brought up in the habit of witnessing gambling. The lottery, too, had been sometimes drawn by night; the persons appointed by government as inspectors having previously received an excellent dinner, at the expense of the contractors, by which they were, as he understood, frequently reduced to a state very little short of beastly drunkenness! He had heard the chancellor of the exchequer last year admit, that gambling was a vice, which, however, could not be exterminated, and that, on this ground, as much profit

should be drawn from it as possible. "God grant," he had then said, "that the vice was exterminated; but since it cannot be so, let us not refuse to take the 500,000*l*." Now this was a most singular way of arguing, especially for the right hon. gentleman; and he wished to know on what scheme of morality he could reconcile his conduct, in this point, to his conscience as a Christian, or his duty as his majesty's chancellor of the exchequer. He (Mr. Lyttelton) denied, however, that the spirit of gambling was inherent in the people; and if a passion for gambling did exist in any part of the community at present, it had been created and promoted by the lotteries. The distresses arising from this species of gambling were not a matter of notoriety. Few in that House were acquainted with the real condition of the people. They read a lottery puff, laughed at it, and knew nothing more of its consequences than that some friend of their's might have been silly enough to purchase a share which turned up a blank; but they were little aware of the vast numbers of poor people who were grossly cheated out of their money. This system of lotteries was attended by one other disadvantage to the moral character of the nation, namely, the encouragement of informers. The abuses consequent on the employment of that class of persons, were of the grossest description, and subjected the secretary of lotteries to so many disagreeable circumstances, that, without meaning to make any personal allusion to the individual at present holding the office, he was assured, if that situation should become vacant, the right hon. gentleman opposite would find much difficulty in procuring a barrister of any character to accept of it. The preamble of the act for the suppression of little goes, about which so much noise had been made, applied in every respect to the great goes; for they, too, were subversive of morality, and tended to plunder the people of considerable sums of money by fraudulent misrepresentations; and against such an evil, the argument built on the increase or diminution of the revenue was very feeble. During the discussions on this question, in the last session, the chancellor of the exchequer had said, that the state lotteries were conducted on so magnificent a scale, that it was difficult, nay, almost impossible, for poor persons to adventure even in the purchase of a sixteenth, and, therefore, that they could not be exten-

sively injurious to them; but to him (Mr. Lyttelton) it appeared by no means impossible, that a poor man might scrape together 1*l*. 12*s*. for that purpose; and if he could not do this honestly, a strong temptation existed, to make up the sum by a little roguery; a circumstance, the frequent occurrence of which was stated in one of the reports of a committee of that House on the subject. The difficulty, too, was met by the formation of clubs, for the purpose of purchasing sixteenths, by which means poor people were enabled to embark their little savings in the state gambling-house, under the sanction and "heartly commendation" of the chancellor of the exchequer. If this were a disadvantage to the country, in prosperous circumstances, what must be the consequences during the present state of general distress, when the parish rates had been so far increased in every part of the country? And if those burthens on the industrious were still farther aggravated by this baneful system of licensed gaming, the country had a right to exclaim against it. In the present wretched state of the country, what an evil it was, that missionaries should be dispatched throughout the kingdom to tempt the poor, by every description of fallacious enticement, to enter into this species of gambling! The inevitable consequence was, that many were thrown on the parish, and the poor-rates were considerably increased. By the city of London, in a petition to that House, the lottery was declared to be a nuisance. He had, some time ago, in consequence of the notice which he had given on this subject, received a letter from the active and most exemplary magistrate who now presided over the metropolis, who thanked him for the step which he was about to take, and told him, that he was thoroughly persuaded of the injurious effects of lotteries, the mischiefs of which were daily increasing. This opinion, proceeding from such high authority, and from one possessing so much local knowledge, ought to have considerable weight. In fact, he was persuaded, that if it were practicable to collect them, the sentiments of every wise and good man throughout the empire, would be found inimical to lotteries. There was one cause which no doubt produced a great deal of the tenacity that had appeared on the part of government on this subject. The lottery was the source of considerable patronage. There

were in the gift of the Crown, as connected with lotteries, four places of 500*l.* a year; five places of 350*l.* a year; one place of 300*l.* a year; one place of 230*l.* a year; twenty-one places of 200*l.* a year; and six places of from 100*l.* to 150*l.* a year, being in the whole upwards of thirty offices of considerable value, a great portion of which were sinecures. In Ireland, also there was a first commissioner (sir A. Alexander), with 300*l.* a year; 4 commissioners with each 200*l.* a year; 2 certifying commissioners with each 100*l.* a year; 2 comptrollers with each 100*l.*; a stamp master (Mr. Thompson), with 242*l.* a year (who had been about 16 years absent from Ireland); two clerks, with 60*l.* a year; and two clerks with 50*l.* a year: making, in the whole, the annual sum of 2,112*l.* although no lottery had been drawn in Ireland for sixteen years. This appeared a most shameful abuse, and required serious explanation. Every fresh consideration of the subject impressed on his mind a still deeper conviction of the importance of it. The system was radically bad and injurious; and he felt convinced, that if he could succeed in removing it, he would be doing an essential service to his country. It sickened the very heart to see the condition in which the poor of the country at present were. He did not state this as a charge against his majesty's government (it had been brought on by a war, unnecessary in its origin, and extravagant in its prosecution) but as an imperative call on them to remove every thing calculated to increase the distresses of the lower classes. On all sides, the government was now called on to make retrenchment; but when he saw that the retrenchment he proposed was one which would combine the suppression of a great evil with an advantage to the revenue of the country, he did hope that it would not meet with a rejection from the House. To abolish lotteries would be to combine a present good to the poor with no very remote benefit to the finances. It was true, that in the first instance, the 500,000*l.* raised by the lottery must be found elsewhere, but he would much rather see it taken fairly and honourably out of the pockets of the people, than obtained in the present insidious and mischievous manner. The state was to be saved, but of this he was convinced, that it was not to be saved by such crooked means. Under these impressions, it was his intention to move three resolutions, similar to those

which he had proposed last year, but somewhat softened in their tendency; as his object was not censure of the past, but the prevention for the future, of a repetition of the evil. Those Resolutions were as follows:—

1. "That, by the establishment of State Lotteries, a spirit of gambling is encouraged and provoked, which abates the moral strength of the state, and must ultimately diminish its financial resources.

2. "That such Lotteries are attended with peculiar evils, which the severest regulations have failed to extinguish, and which have been repressed only by laws, whose provisions are arbitrary and unconstitutional, and their enforcement liable to the greatest abuse.

3. "That this House therefore will no longer authorize the establishment of State Lotteries, under any system of regulation whatever."

The first Resolution being put,

The *Chancellor of the Exchequer* rose to impress on the House the important truth, that on the preservation of what remained of the public income of the country, the security of the empire depended. If they did not most seriously weigh every proposition, the tendency of which was to reduce that income, the situation of the country must speedily become most alarming. There was little of novelty in the speech made by the hon. gentleman, and he trusted therefore that the House would come to the same decision upon the proposition as they had done upon that brought forward by the hon. gentleman last year. With respect to the objections urged by the hon. gentleman against the details of the measure, they had no bearing on the principle of it. There was nothing immoral and illegal in the principle, unless all games of chance were *prima facie* to be so considered; a doctrine which very few, even of the most severe moralists would maintain. If games of chance were in any case to be considered lawful and innocent, they ought surely not to be held otherwise when they were rendered subservient to the benefit of the state. If it was allowed that games of chance were at all lawful, they could not certainly be in a more unobjectionable shape than under the regulation of state lotteries. It was certainly true that there were a few instances of persons in very desperate circumstances rendering their situation worse by venturing in the lottery; but if there were no state lottery, persons of that

disposition would not want means of ruining themselves. He had never argued (as it had been alleged of him) that private vices might be made public virtues. Parliament had not been neglectful of its duty in correcting the evils attendant on the details of lotteries. It would be recollected, that many years ago there were two principal evils objected to in lotteries. One was the almost infinite divisibility of tickets, which gave to the poorest of the people an opportunity of purchasing a share; the other was, the extension of the time of drawing to forty or fifty days; affording the greatest encouragement to illegal insurances. Some remains of this latter practice might possibly yet exist, but they could not be to a very great extent. One question for the House to determine was, if the suppression of lotteries would not tend to increase the mischiefs of that very species of gaming against which the observations of the hon. gentleman were chiefly directed. The maintenance of the lottery kept up an establishment, active in checking little-goes, and private gambling of that description, by which, were it not thus much diminished, the unwary would be still more frequently entrapped. The difficulty also that at present existed in preventing the sale of tickets for foreign lotteries would be materially increased. They would be bought by thousands if the home lottery were ever to be destroyed to make way for them. The hon. gentleman had been pleased to say, that if he (the chancellor of the exchequer) had to look for a secretary to the lottery, he could not find any gentleman at the bar of credit and talents who would accept the situation. It certainly had not been his lot to be under the necessity of looking for a successor to the gentleman who now filled that office very much to his (the chancellor's) satisfaction; but he had no doubt, if a vacancy in that office was to occur, he could find many among his old friends at the bar who would be glad to fill it, who would fill it creditably—as creditably and as beneficially for the public service as it was now filled by the individual who so respectably filled it. Mr. Perceval, who would be suspected by no man of a disposition to make his appointments from men without credit and talents, had chosen the gentleman who was the present secretary, and had found him highly qualified in every respect for the office. A disagreeable office in some points it certainly was, bringing the individual

who held it into contact with people of a very mean and disagreeable description, the persons giving informations, and the persons against whom informations were given, being almost exclusively in the lowest walks of life; but this was an inconvenience common to several branches of the legal profession. It was a fact, however, that of all the individuals who had acted as informers on this subject, only one had ever been convicted of false allegations. When the hon. gentleman asserted that the patronage of the lottery was a principal cause of its continuance on the part of government, he ought to have had the candour to add that that patronage had been greatly diminished. Mr. Perceval (all of whose actions proceeded on the impulse either of private morality or of public honour), reduced the number of the commissioners of the lottery from 42 to 28. There was this objection to a further reduction of the number, namely, that the persons who engaged in the lottery had a great jealousy on the subject, and if they saw a small number of commissioners would imagine that some unfair practices were resorted to. The present commissioners were all gentlemen of high character, and they seldom met except on their public duty. Much less could he applaud the candour of the hon. gentleman in his observations on the Irish lottery. It was true, as the hon. gentleman stated, that no lottery had been drawn in Ireland for 16 years; it having been deemed inexpedient to have two lotteries drawn in the empire at the same time, and the suppression of the lottery in Ireland having been considered one of the sacrifices which government was bound to make for the welfare of that country, as its effect in that country had been much more pernicious than in England. The Irish lottery having ceased, the persons employed in it had since received only that allowance to which it was considered they were entitled as a compensation for the loss of their situations. Whenever a vacancy occurred it was not filled up, so that the establishment would soon become extinct. The hon. gentleman's statement as to the expense of the lottery to the public was erroneous; if the tickets were all sold indeed a larger sum might be paid by the public than ever came into the coffers of the state; but this was not the case, and lottery contractors seldom gained much by their bargains, though they had on some occasions been losers. But the trea-

surey had limited the price of tickets to 19*l.* 10*s.* because too much had sometimes been asked. Neither was the present scheme so unfavourable as the hon. gentleman had represented: the price of stocks might rise, and tickets would then be more valuable. So far from the chance in the present scheme being as low as 4 to 1, as the hon. gentleman alleged, the price of a ticket was 19*l.* 10*s.*, and the lowest sum that had been assigned for its value was 8*l.*, so that the chance did not seem to be more than five to two. As to the employment of the Christ Church boys to draw the lottery, he really did not see so much objection to it as the hon. gentleman expressed. It was an ancient usage, with which it was not for the treasury to interfere. The governors of Christ's Hospital were well known to be very zealous for the character of those who were educated there, and if they thought the practice detrimental, they would assuredly put an end to it. But really he could not discover how the spirit of gambling was encouraged in a boy, by merely employing him as a machine to draw the tickets out of the wheel. Much stress had been laid by the hon. gentleman on the opinion expressed by the city of London on this subject. Their scruples, however, had seized them but lately. It was but a few years ago, since they procured the passing of an act for the purpose of disposing by lottery of houses built by them in the course of improvement. The hon. gentleman talked of the exaggerated value ascribed to the prizes in the state lottery, but what was that to the exaggeration used in the city lottery? He had an opportunity of knowing that one of the principle prizes in the city lottery, a house valued at 25,000*l.* was actually sold by auction for 7,500*l.* On the whole, the practical question for the House to determine was, whether a certain revenue of 500,000*l.* not levied by constraint, but being the voluntary contribution of those by whom it was furnished, was to be lightly given up? The hon. gentleman had dwelt much on the distress existing in the country. Did he think that any addition to the present taxes of 500,000*l.* a year could be made, without materially increasing that distress? Would not the mischief arising from any such attempt be much greater than the evil resulting from the lottery? Those who thought that it would be so, would vote with him against the hon. gentleman's resolutions.

Sir Samuel Romilly greatly lamented

that the chancellor of the exchequer should have ridiculed the altered opinions of the city of London: they were more worthy of being adopted than ridiculed. In his opinion, the right hon. gentleman should have been forward to follow the example of that great corporation. Sir Samuel admitted that the country could at present but badly afford to relinquish any source of revenue, but he contended it could just as badly afford to relinquish the morals of its lower orders. Even admitting that lotteries produced a very large revenue, he asked how much revenue was lost by taking away from the lower orders those habits of sober industry which were so essential to the well-being of the state, and so conducive to the production of legitimate revenue? The loss so sustained must be considerable; but the great injury was, the reducing to poverty and to the work-house many who, but for lotteries, would be giving to their families and their country the benefit of assiduous industry and untainted morals. He had no hesitation in saying, that lotteries greatly contributed to the increased amount of the poor's-rates. The right hon. gentleman took a most mistaken view of the subject, in supposing that the love of purchasing lottery tickets was a natural appetite. It was no such thing. It was an unnatural and artificial appetite; and, in the view of the present subject, one created by the most active efforts, and excited by the most powerful stimulants which ingenuity could devise. The state lottery afforded a multiplication of allurements and inducements to the spirit of gaming, which was an evil that increased and extended itself with great rapidity. The right hon. gentleman admitted, that having lotteries in different places was calculated to promote a spirit of gaming, and that gaming was one of those habits which a multiplication of lotteries necessarily tended to encourage. Then why did he sanction such a multiplication of lotteries as to permit six in a single year? Even the contractors themselves acknowledged that they had scarce time to recover from the effects of one lottery before they were assailed by another. Mr. Bish, who was examined before the committee in 1812, said, "Formerly there was but one lottery in the course of a year, but they are now so frequent, that the public have not recovered from one lottery, before another is drawn." This was what a dealer in the lottery said; and, from this it ap-

peared, that no time was given to suffer the moral feelings of the people to take their natural course, and to throw aside this expensive and vicious propensity. It signified little what the feelings of those disinterested gentlemen, the contractors, might be upon such occasions, but it signified much to reflect what injury the morals of the people must sustain, when they were not permitted to recover from the effects of one lottery before they were endangered by the temptations of another. It was true, that now no lottery was drawn any where except in London, but its effects spread into every town—nay into every village throughout the kingdom; where persons were employed in posting up bills to attract poor miserable creatures, and inflame them with the hope of sudden wealth. He regretted that the report of a committee of that House, made in 1808, had not now been reprinted, as it detailed a great number of facts which, in his opinion, would greatly assist the House in its decision upon the present subject. It stated, from the most unexceptionable testimony given before the committee, that when once the drawing of a lottery began, all trade ceased. Carts, covered with seductive bills, were driven about in all directions, in order to delude weak-minded persons to believe that they would get uncounted wealth, if once they tried their fortune. Butchers, bakers, and all other tradesmen were deserted by their usual customers—no trade was then carried on with spirit, but pawnbroking, in which the women always took a most active part, adding to the small pittance of their husband's earnings all the money which could be raised by pledging their furniture and their clothes, and those of their children, and then purchasing shares in the lottery. Some of the witnesses spoke strongly of the heart-breaking scenes of misery they had seen—of the total loss of all domestic comforts occasioned—of families converted from sociality into strife—of husbands driven to despair, and running away and leaving their families on the parish—of numbers, through this fatal propensity, being driven to madhouses, and of many suicides committed. The ordinary of Newgate stated, that, by the confessions of individual criminals, a large proportion of them traced their ill-fate to practices in the lottery. Merchants clerks, and apprenti-

ces, young men of decent habits, were seduced frequently first to venture their own money, and then to risk that of their employers, until at length they were insensibly led to crimes, which brought upon them the punishment of an ignominious death. It was not enough to ascribe the evils to the former insurances; they still continued, from the temptation and seductions, to buy shares. Not only other poorer classes, but private soldiers were drawn in and ruined. The nature of these allurements might be seen in the advertisement in the newspapers, which contained the strongest moral poison, and the most diabolical arts to seduce even boys. Under the title of "Christmas boxes," one of them stated, that a careful lad had not spent his money in amusements, but ventured in the lottery by buying two sixteenths; that thereby he got a capital prize, and had become an opulent merchant in London. Another said, that a poor public-house lad had gained 1,200*l.*, and was living in retirement; but that now 2,809*l.* might be acquired for a similar chance. Another stated, the milk-woman had come in for a little of the cream of the lottery by a sixteenth share of a prize of 20,000*l.* Another, under the title of "military success," was addressed to the soldiers, respecting a supplementary lottery; and they were told, that officers had got 2,500*l.* and 200*l.*, and privates 600*l.* In distributing the lottery bills, selections were made of those most likely to purchase, namely, of boys, of women, and of those in the lower orders, for none but such could be made dupes to so palpable a fraud as the lottery. The chancellor of the exchequer might laugh at all this, and treat the opinions of others contemptuously. Knowing the private virtues of that right hon. gentleman, he must say, that his conduct excited his astonishment. He could not exactly tell what to make of the seeming incongruity of the right hon. gentleman's appearance on one day, taking the lead in a bible society, and on another, meeting a set of lottery contractors. The matter seemed unaccountable. It would be good for persons holding high stations, which gave them so much influence over the condition of their fellow creatures, to see personally the miseries of others. If the right hon. gentleman entered the poor houses, he would see the numbers of miserable diseased and squalid objects; in the madhouses he would see the agonizing wretches; and in

dungeons he would find honest unfortunate individuals of whom a great part had been reduced to the lowest state of human woe by the temptations of the lotteries. Many, after spending all they had of their own, and all they could borrow, became at last victims to public justice. These results were proved. Could the right hon. gentleman see these things, it was not in his nature to render it possible for him to persevere. It was to be hoped the House would redeem its character. The restrictions on the lottery were quite insufficient. It was easy to understand that there might exist great evils which could not be suppressed. In natural vices we could only correct, but in the lottery we created the vice, and why should we seek to give partial alleviation in a case in which a perfect cure might be effected? It was no answer to the hon. gentleman's motion to say that the evil had decreased. In fact he (sir S. R.) thought the evil had increased; and that, if it should appear less this year, it might arise only from want of means in the public. He should not, however, be surprised if the lottery trade increased even in the present year, for distressed persons were led to sacrifice what remained to them by vain hopes. He could have nothing new to offer in objection to lotteries: the evils were well known; and he could only repeat objections formerly stated. He trusted his hon. friend would persevere. If he did not, he (sir S. R.) would: and the chancellor of the exchequer should hear all the objections re-stated, whenever he might think proper to propose a measure so injurious to the best interests of the country.

Mr. J. W. Ward observed, that it was a serious question how to supply the sum of 500,000*l.* to the revenue, if it were deducted by refusing the lottery. In balancing the evils, it might appear better to continue the system at present than to impose 500,000*l.* of fresh taxes. He was ready however, to admit that a lottery, as an ordinary resource, was a shameful one for a moral and religious nation. It was injurious to the principles and practice of industry and economy. If it was thought a great object of finance to get one pound to the treasury, which cost the payer two, he could only say it was a very injurious contrivance. But the principle was as bad in finance as it was execrable in morality. Saving banks, he thought, were excellent institutions, but so long as lotteries were

tolerated, the advantages of saving banks might be greatly abused, and besides, there was gross inconsistency in the legislature tolerating lotteries and instituting saving banks. It was as if they said to the people, in approving the saving banks, "be industrious and frugal," and in allowing lotteries, "when you have collected a little money by economy, and by the sale of your clothes and furniture, and every thing you can convert into cash, go and purchase a share in the lottery, which may bring you uncounted wealth, and enable you to be as drunk and as lazy as you please for the rest of your lives." This was really the spirit of the language. It reminded one of the choice of Hercules. Vice and Virtue were both represented. The people were asked for two things quite contrary to each other. Scarcely any gambler who understood calculations would attend to the lottery allurements. Even a prize often did more harm than good to a poor man. Frequently nothing was worse for him than to lift him into a sudden wealth. He would think his new-gotten wealth would never be at an end, like Gil Blas and the 40 ducats. An old proverb said, "Lightly come, lightly go." So it was very likely to be with lottery money. It was observed, respecting the propensity to gambling, that it went on in the intervals between the lotteries by means of little-goes and other contrivances. So it did, because the feeling went on, arising out of the system which made gambling an habitual object, and therefore the spirit was increased. So much had been so ably said on the subject, that he should not proceed further upon it; but he wished to explain the nature of his vote. He would ask any gentleman to show him any other preferable mode, under all circumstances, for the service of the year, by which the 500,000*l.* were to be obtained? Unless that could be done, he should not think himself inconsistent in the vote he should give. He could wish that the end of lotteries was looked to by the chancellor of the exchequer; and he thought that their abolition was a boon which the government ought to grant to the country, when a sufficient degree of prosperity enabled them to dispense with the revenue which lotteries produced.

Mr. Wilberforce expressed great surprise that the hon. gentleman who had just spoken did not mean to yield to the force of his own arguments; and that he should

have concluded an able speech against the lottery system, by a declaration that he would vote in favour of that system. That the House, for the mere reason of the money so levied, should consent to continue those dreadful evils—evils which he feared were yearly increasing, would appear to him very strange; but it was above all extraordinary, that those who voted in favour of the system, should, at the same time that they declared their resolution to give such a vote, confess that there was nothing to be said in defence of that system. If he entertained a hope that the system would ultimately be abolished, it gave him much cause to fear whether that hope was well founded, when he heard members of whose principles and talents he thought so highly as of those of his hon. friend who spoke last, claiming the complacencies of virtue for a speech against the evils of the system, and then voting in favour of it. Was it not extremely inconsistent for any one at the time those evils were acknowledged, to vote for their continuance? In such conduct, principle and practice were directly at variance. The arguments used for the lottery might be brought to justify other practices; such as the farming of the public stews, by which perhaps 500,000*l.* might be obtained. It was surprising to hear virtue maintained, and wickedness allowed and encouraged at the same time; or to hear of the taking a profitable commission on vice. It was high time to put an end to a system which had so long been a disgrace to the parliament and the country. The principle of the system might license any other kind of immorality. It promoted dispositions adverse to every sort of domestic or national comfort and virtue. Would any of the hon. members who supported the continuance of the lottery like to have a servant who had a propensity to gambling of that description? It was directly adverse to the principles and objects of our national education. It tended to render even our best benefits poisonous. While the system continued, it might almost be made matter of doubt whether we should establish institutions to put a little money into a poor man's hand; for the saving banks would give him the means of buying lottery shares, which, by their failure, would render him miserable. Let hon. gentlemen visit the poor houses, and mad houses, and gaols, and he believed no man would have nerves strong enough to resist the impression of what he might

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see there. The lottery annually sowed the seeds of the gambling principle. It was most unjustly called a voluntary contribution. Voluntary! From persons who, in this gambling, were leading themselves perhaps to the gallows! Every real friend the man had in the world was looking at him with concern, and all his dearest relatives and connexions trying, in vain probably, to dissuade him from it; but the poor unfortunate creature was seduced; and this was called his voluntary contribution! After the attacks made upon it, it was impossible this system could remain, for it could not be justified.

Lord Castlereagh felt with the hon. and learned gentleman opposite, that the question had been so often discussed, and the arguments so strongly impressed on the minds of gentlemen that it was unnecessary for him to travel over it in detail. It would give him great satisfaction, if the situation of the country would allow his majesty's ministers to give up any tax that went, even indirectly, to debase the morals of the people. But this was not the only branch of revenue which his hon. friend (Mr. Wilberforce) would find it very easy to inveigh against as having a tendency unfavourable to morals. There were many taxes that bore heavily on all ranks of society particularly on the lowest ranks; and it would be very easy for a gentleman possessed of his hon. friend's eloquence, to dwell on the privations which they occasioned as a ground for their removal. He might descant on the misery, the crimes, the immorality, that arose out of the consumption of many articles, that produced a considerable portion of revenue. They ought to look to the present state of the country, and consider if they could afford to give up any portion of the revenue, before they indulged too strongly those feelings, the principle of which was hostile not merely, to the lottery, but to many other sources of revenue. If this were a thing *malum in se*, the legislature ought to interpose undoubtedly. But if the evil were to be found merely in its effects, and not in itself, the fair question then was, whether the *quantum* of good which resulted from it did not exceed the *quantum* of mischief. Gentlemen ought not to act precipitately—they ought not to remove this source of revenue until they considered whether the present public receipts were more than sufficient for the expenditure. They were

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exceedingly eloquent and astute in directing his right hon. friend to abandon certain portions of revenue—but he doubted whether they would be equally willing and equally capable to point out to him new sources of taxation—and he strongly deprecated any attempt, at present, to shake the system of the revenue, by the adoption of speculative opinions. In the attack made on the lottery, one of the great weapons was exaggeration—and those rhetorical pictures which had been drawn of the miseries brought upon private families by gambling in the lottery, applied to the system as it was carried on many years ago, when insurance was allowed, and before the other improvements in it had been made by the legislature.—The same was the case with Mr. Colquhoun's opinion on the subject. The hon. and learned gentleman said, that the lottery system was carried on to a six-fold extent. The fact was, that formerly one lottery contained as many tickets as the six which were usually drawn at present; and the drawing of that lottery lasted about forty-five days—during which period the greatest riot and confusion prevailed. At present the lotteries were drawn at six periods of the year, and took up, in the whole, only 12 days. By this change the insurances were cut up. He was not an advocate for the lottery, but he was yet to find why the statesmen of the present day were expected to be more virtuous than those who had preceded them—and who had, for many years, tolerated the lottery as an honourable and beneficial source of revenue. The poor were not the chief purchasers in the lottery. One-sixth of the lottery was sold in whole tickets—and a great proportion of it in halves and quarters, which the poor were unable to buy. He did not call on gentlemen to determine in their own minds, that lotteries were intended to be permanent in this country. He should be glad to dispense with all sorts of resources that could be made the subject of controversy on a moral principle. But he called on them to consider whether the state of the country would admit of such a subtraction of revenue, particularly when the taxes proposed to make up the deficiency would probably be as objectionable as that which had been removed. If the house listened to the arguments of gentlemen, and took away 500,000*l.* of revenue, they would find as many criticisms on any substitutes that could be proposed; and thus they might

open a door to shake the system of our finances to its very foundation. He would therefore move the previous question.

Lord *A. Hamilton* contended, that the numerous mischiefs arising from lotteries had been proved over and over again in that House. They were subjected to the charge of all the evils of gaming. Was the country really reduced to so low an ebb as to cause ministers to bargain and sell its vices?—for the lottery was nothing else. If our finances were in such a distressed state under the noble lord's and his colleagues auspices, their conduct must have occasioned it. There was not one instance in all the reports that could palliate any of the facts stated by his hon. friend, of the evils and bad policy of lotteries, in any shape. The sum total that could be said in favour of them was this—“We want revenue, and revenue we must have, even at the expense of the morals and character of the people, and, what is of more consequence, the character of parliament.”

Mr. *Morland* was of opinion, that lotteries occasioned a vast deal of mischief; and that if we abolished lotteries, other countries would be found to follow our example. The mischiefs of lotteries in Paris, were greater even than here. A writer, who had recently published a volume of travels, particularly stated, that the lotteries in Paris had produced the most dreadful effects. He was told by a person connected with one of those gambling establishments, that the lotteries occasioned, in Paris, 100 instances of suicide in the course of the year. The king of Spain, it seemed amongst the other extraordinary acts of his reign, had instituted a lottery on the English plan.—He did not choose to imitate any of our beneficial establishments—he would not introduce toleration, or trial by jury, or any other useful and praise-worthy system—nothing but a lottery would please him. The lottery was now extended to the most remote villages. He had seen lottery invitations stuck up, directing applications to the post-masters in the neighbourhood. It was certainly curious, at the time of the assizes, to hear the clerk, in court, reading the king's proclamation against gambling and other vices, while his majesty's post-master outside of the door was tempting the people to a gambling speculation, by representing himself as an authorized vender of lottery tickets and shares.

Mr. *Thompson* admitted, that it was of

great importance that the revenue should be encouraged; but he thought that the lotteries materially injured the revenue by their frequent recurrence. A very intelligent man had given his evidence, that during the sale of lottery shares, the bakers, the butchers, and other tradesmen, complained that they could get no money from the lower orders of people; and that the wives of poor persons were drawn into these miserable schemes to the ruin of the interests and happiness of their families. Even Mr. Bish said, that the six lotteries outrun the public, and gave them no time to breathe, though they kept them in perpetual expectation. Mr. Hale had given strong facts of the distresses, from the lotteries in Spital-fields. There was no such thing as a fair lottery; they were nothing but cheats and frauds upon the public, and the injury that the country suffered by their destroying the moral bonds and ties of society, was only known to those who were acquainted with the state of the poor. He was proud to see the happy connexion now existing between the rich and the poor, and the laudable benevolence of the former to the latter. This was bringing things to their proper sphere; but we never could expect purity of principle to exist where temptations of so strong a nature were held out to gambling. He remembered reading of the jesuits permitting old women to gamble, and afterwards restraining them from so doing, as they purloined money from their husbands. If you could persuade a man that gaming was no crime, he was, in his opinion, fit for the commission of any crime whatever. The reports made by committees of that House, abounded with instances to show that the infatuation of the lottery constantly induced servants, clerks, and others, to rob their employers.

Mr. Bennet declared, in opposition to what had fallen from the right hon. gentleman, that innocent persons had frequently suffered in consequence of false informations being laid against them under the lottery acts. He particularly alluded to the case of two sisters whom he had seen in the house of correction for perjury, and who, he had no doubt, had been the cause of much mischief to many innocent persons.

Mr. Lyttelton in reply, denied both the moral principle and policy of lotteries, which tended to choke up the springs of industry. He was glad, however, to hear that the principle of the thing was given

up by its advocates, who only tolerated the immoral practice as a matter of necessity. But he would say, "If you must have money, raise it by borrowing, or any other means, rather than by swindling."

The House then divided;

For the previous question 72

Against it 26

Majority — 46

List of the Minority.

Abercrombie, hon. J.	Thompson, Thos.
Calcraft, J.	Plunkett, rt. hon. W.
Grenfel, P.	Webb, Thos.
Lambton, J.	Butterworth, Jos.
Baring, sir T.	Babington, Thos.
Hamilton, lord A.	Ponsonby, rt. hon. G.
Barnet, J.	Bennet, hon. H. G.
Brougham, H.	Gipps, G.
Monck, sir C.	Macdonald, J.
Phillimore, Jos.	Upton, hon. G.
Martin, J.	Rashleigh, C.
Bernard, S. M.	TELLERS.
Sharp, Rich.	Romilly, sir S.
Wilberforce, Wm.	Lyttelton, hon. W.
Guise, sir Wm.	

TRINIDAD]. Mr. Brougham wished to know if the right hon. gentleman opposite would have any objection to inform the House whether the proclamations issued by the governor of Trinidad were put forth upon his authority alone, or in consequence of instructions received from his government at home? He also wished to know whether any information could be communicated respecting our relations with the Spanish and Portuguese ports of South America, in possession of what were called the insurgents? It was a question of great importance to our merchants. He had heard that the Spanish government had agreed to cede Monte Video to Portugal, in exchange for Olivenza. Now, he maintained that Monte Video did not belong to Spain, but to the independent party; or, as they were sometimes improperly called, the revolted settlements, which had conquered it before the restoration of Ferdinand; and that therefore Ferdinand could have no right to dispose of it. Be this as it might, he understood, that a force of 10,000 Portuguese troops were now under the walls of the place; and this was of the more importance, as they were said to have been handed over, in a complete state of discipline and equipment by lord Beresford, to the Portuguese commander. He did not know whether our funds had also been employed in the preparation of this force, but he considered the intelligence to be of a very ominous nature.

The *Chancellor of the Exchequer* said, the hon. and learned gentleman had better move for the production of any papers he might wish on the latter subject when his noble friend was present, to whose department the subjects referred to more particularly belonged.

Mr. Brougham said, he should have thought, if any thing had been done with regard to such matters, it would have been known to all the cabinet ministers. However, he should move to-morrow for the production of any correspondence that might have taken place. Meanwhile, he should content himself with moving "That an humble address be presented to his royal highness the Prince Regent, that he will be graciously pleased to give directions that there be laid before this House, copies of all proclamations, issued by the governor of Trinidad, since the 1st of January 1814, touching the intercourse with South America."

Mr. A. Browne said, he was very happy to find his hon. and learned friend applying his great talents to the consideration of the little politics of Trinidad; and as they had the misfortune of contending with him on questions of great colonial policy, he was rejoiced that they should now have the benefit of his exertions in investigating the evils of the internal government of that island. Those evils would be found to be of a serious nature; in addition to the restriction of all intercourse with the Spanish main, which was a great source of their prosperity, and indeed of their daily subsistence, they had to contend with the evils of a despotic government, which was under no sort of local check or control; and they had the still deeper evil of a privation of British laws, and the strange anomaly of living under a Spanish code of laws administered by a British judge.

The *Chancellor of the Exchequer* said, this was a question that could be more properly answered by his noble friend, with whose department the subject was connected.

Mr. Ponsonby did not wish to embarrass the right hon. gentleman, but this he would repeat again and again, with a loud voice, that England had in no foreign quarter of the globe, so strong an interest as in South America. It had been asserted in another place, that this government had interfered with the United States, as to the conduct its citizens ought to pursue with respect to the Spanish provinces. It was of the utmost importance that the truth of

this statement should be ascertained; and he did expect to receive a direct answer on that subject.

The *Chancellor of the Exchequer* must again observe, that this matter belonged to the department of his noble friend, who was not then present.

Mr. Bennet bore his testimony to the good conduct of the governor.

Sir M. W. Ridley said, he should not then take upon himself to trouble the House with any opinion, whether it would be more advisable that Trinidad should be under Spanish or British laws; but he would confidently say, that the laws of that island would never be administered with greater justice than they were by the individual now at the head of it.

Mr. Marryat, from his connexion with Trinidad, could not refrain from stating, that the present form of government was the subject of loud complaint, and that in addition to the general evils which had been stated, he had been informed, that the governor had refused to give an asylum to some of the Spanish insurgents, who had fled thither for protection, and had sent them back, where they were all murdered; and that British hospitality had been actually sold in that island.

Mr. A. Browne, in explanation, said, that he did not intend the slightest imputation on the distinguished judge of the island. On the contrary, he was convinced that he discharged the difficult duties of his situation with great honour to himself and great advantage to the community.

Mr. Brougham concurred in this explanation as far as it related to the judge of the island.

The motion was agreed to.

HOUSE OF COMMONS.

Wednesday, March 19.

SCOTCH MADHOUSES BILL.] *Lord Binning* rose for the purpose of obtaining leave to bring in a bill to provide for the establishment of Lunatic Asylums in Scotland. It was proposed to extend the advantages of the bill introduced by his right hon. friend (*Mr. Rose*) to that part of the country; and it would be recollected, that that measure was founded upon the report of a committee detailing instances of inhumanity and suffering, on which it must always be painful, and was now unnecessary to dwell. With a view of extending the advantages of the inquiry to that part of the island to which he belonged, a set of

queries, had been transmitted to the sheriffs of the Scotch counties; and the information received from them, although it exhibited no examples of the same brutal treatment of patients visited by this severe affliction, abounded in proofs of the negligent and grossly ignorant management that prevailed amongst that description of persons who speculated in this branch of human misery. There were, however, several distinguished exceptions to the truth of this observation; he referred, in particular, not only to the splendid institution at Glasgow, but to the comparatively humbler one at Aberdeen, and to several others of still less note. The same necessity, however, existed for a similar measure to that adopted by the bill of his right hon. friend. This he thought must appear evident from the report of the sheriff of Mid Lothian, which stated, that there were 25 private mad-houses in that county, in all of which there were not more than 94 individuals confined. In one of them there was but one patient, in some five, and in one only, so many as 25. It was obvious, that on such a system the treatment of the patients could not be the most beneficial or scientific. His bill, although precisely similar in principle, differed in point of arrangement, but would not interfere with that of his right hon. friend. Before his right hon. friend's bill, England had county asylums, but in Scotland these would not be necessary; and he should recommend, that the county be divided into six districts, in each of which an asylum should be established, to which lunatics should be conveyed, under the direction of the magistrates. He proposed to leave this division to be carried into effect by general commissioners, who should be allowed to associate district commissioners to themselves. The subject of expense, he was aware, was a tender one at this moment; but he did not think it would bear very heavily on the counties, when it was considered that many of these unhappy persons were paupers, and already supported by charity. The number of lunatics now confined was 1,550, and those at large were estimated at 2,000, including idiots. Those who were chargeable as paupers must be maintained at an easier expense when collected. The noble lord concluded by moving, "That leave be given to bring in a bill to provide proper places for the care and treatment of fatuous and furious persons in Scotland."

The motion was agreed to.

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[WINDOW TAX BILL.] General Gascoyne wished to know when the new bill relative to the Assessment of Warehouses was to be brought in, and observed, that from the reports which had gone abroad with respect to the nature of this bill, much anxiety was felt on the subject.

The Chancellor of the Exchequer hoped, that the bill alluded to would be presented to the House in a day or two. As soon as it was before the House, he should move that it be printed, as that would be the most sure mode of conveying accurate information as to the nature of the bill. It having been in several cases decided by the judges, that buildings originally erected to serve as dwelling houses, were liable to assessment as such, although afterwards converted into warehouses, the object of the bill in question was, to declare explicitly that no building should be liable to assessment which would not have been liable, if originally built for the purpose for which it was then used. It was therefore obvious that the object of the bill was by no means to lay on any new tax, but rather the reverse.

In the course of the evening,

Mr. Lushington moved, "That leave be given to bring in a bill to explain and amend an act made in the 48th of his present majesty, for repealing the duties of assessed taxes, and granting new duties in lieu thereof, and to exempt such dwelling houses as may be employed for the sole purpose of trade, or of lodging goods, wares, or merchandise, from the duties charged by the said act." He repeated the explanation given by the chancellor of the exchequer, that the object of the bill would be to exempt from the operation of the tax those places that it was out of doors conceived would be affected by it, and not to impose any new tax whatever. Its object was, to exempt such offices or dwelling-houses connected with warehouses, for the sole purpose of trade.

Leave was given to bring in the bill.

SPANISH AMERICA.] Mr. Brougham rose to move for the production of certain papers connected with a treaty between Portugal and Spain. As he was in the dark as to the nature of the facts, he might have occasion to request some information from the other side of the House to guide his motion. All that he at present knew was, that about seven or eight months ago an expedition, partly

by land and partly by sea, was fitted out at Rio Janeiro, which, when fully equipped proceeded towards the Spanish settlement of Monte-Video, in the neighbourhood of which the naval and military part of the expedition united, and proceeded to hostile movements against that settlement. These movements ended in the Portuguese force taking up a strong position in the neighbourhood of Monte-Video, and by the latest accounts from that quarter it appeared—not, indeed, that this force had taken possession of that fortress, for in that he hoped they would not succeed, but that Monte Video was in a state of siege or blockade. The purpose for which that armament had been fitted out was, no doubt, to take possession of that settlement; and, if this was true, one or two considerations must arise. Viewing Monte-Video as a Spanish settlement, how happened it that hostilities were going on between these powers in that quarter alone? But viewing it as a settlement not in the possession of Spain, but one to which the government of that kingdom laid claim, if it was considered as one of those which the noble lord, in an official document, had, in his opinion, very improperly called the revolted colonies, but which ought more correctly to be called the independent part of South America, that part of it which was engaged in a struggle for its success, in which almost every one in Europe put up prayers; in this view he was equally at a loss to account for the proceedings to which he alluded, for it was strange that an expedition should be fitted out against it without the concurrence of the Spanish government. If, on the other hand, there was any treaty by which that settlement was ceded, was it not extraordinary, in the first place, that the House had not heard any thing of such a treaty; and, in the second place, was it not evident, that such a treaty must have been executed with the connivance of our agents there. Marshal Beresford, one of the most distinguished ornaments of the military profession, was, as it appeared, also commander in chief of the whole Portuguese forces at the very time when this expedition was fitted. If, therefore, lord Beresford knew of any such treaty, it was very strange that the House should now be without information on the subject. The House had some right to know, even if a convention had been made to cede that settlement, whether there was any equivalent to

Spain. It was said that the equivalent was the abstinence on the part of Portugal to claim the restoration of Olivenza, which it had been settled at the congress should be restored. It had been surmised that Olivenza was to remain to Spain, while Portugal was to have Monte Video in lieu of it. If this country was a party to the treaty of Vienna, by which the restoration of Olivenza was stipulated, and if another treaty was made elsewhere relating to that place, it was a necessary consequence, that whatever was done in contravention to the treaty to which we were parties, should be stated. The principal reason why he brought forward this motion was, to give our government an opportunity of explaining the conduct of our agents (civil or military), in this transaction; and he was sure that nothing would be more satisfactory to the House and to the country, than to find that the proceeding in question, on the part of Portugal, was in no way sanctioned by the British government. He should therefore move, “That an humble Address be presented to the Prince Regent, praying that there be laid before the House, copies of any treaties or conventions relative to the cession of Monte-Video to Portugal; and of any correspondence respecting the same so far as such correspondence can be communicated without injury to the public service.”

Lord Castlereagh said, he did not think that the hon. and learned gentleman meant to press his motion, for if it should be agreed to, the return to it must be in the negative, because he (lord C.) was not in possession of any such treaty. He had no difficulty in stating that the British government was no party, direct or indirect to the course of policy pursued by Spain towards her colonies. The conduct which this country followed with reference to these disputes was, that of adhering to a system of strict neutrality, and not that which the hon. and learned gentleman seemed to recommend—to assist the colonies against the native country, which would be in direct contravention to the treaties between Great Britain and Spain. While marshal Beresford was employed in the service of another power, so long as he was not recalled from that service by this country, the capacity in which he acted as in the service of that power must not be confused with his character of a British subject. His conduct must be considered as directed by the Portuguese govern-

ment, in whose service he was now acting. There were many other British officers in the service of Portugal, whose situation was analogous to that of marshal Beresford. The Crown undoubtedly might, when it pleased, recall all those of its subjects in any foreign service. But as marshal Beresford was now situated, it would be supposing him guilty of an absolute breach of trust to assume that he communicated to this country the councils of the government in whose service he was employed. He must also deny that it was competent for government to lay before parliament any treaty between other powers of which it might have a knowledge. Yet he might state, generally, that there was nothing which could indicate the existence of such a treaty as that which the hon. and learned gentleman alluded to. The House must be aware that the events in the river Plate, as they might involve interests of the most important nature, affecting the European dominions of Portugal, must be considered not as a mere South American question, but as an European question. He therefore did not think that he was at liberty to enter into any further statement of the facts, even if they were in his possession. He had disclosed the main fact, that Great Britain was no party in any shape to the intentions or acts of the crown of Portugal in the transaction in question. He would repeat, that he had no reason to suppose that there was any such treaty in existence as that alluded to by the hon. and learned gentleman.

Mr. Brougham said, there was one thing more as to which he begged some information from the noble lord. It was said, that nothing was done by the British government to give room for the supposition that it espoused the one cause more than the other; that the system acted on was one of perfect neutrality; that marshal Beresford's acts were merely those of an officer in the service of Portugal, and did not in any way commit the British government; that not only marshal Beresford, but many other British officers in the Portuguese service were in the same situation. So far it was all very well. But if any number of our officers or men should engage on the side of the colonies, was it to be understood that no umbrage would be taken, but that the scales of neutrality would be equally and scrupulously poised between the two powers? He would ask, whether it had not been prohibited by the

British government to afford any assistance to the insurgents, by furnishing them with arms? He would ask, whether the transportation of arms from Trinidad to the Spanish main had not been prohibited under pain of confiscation, fine and imprisonment?

Lord Castlereagh said, the hon. and learned gentleman seemed to argue the question as if British officers were now serving against the colonies. This was not the fact. He did not believe that there was a single British officer in the Portuguese army who was not now in Portugal, with the exception of marshal Beresford. As to the other case put by the hon. and learned gentleman, he felt that we were acting a part strictly neutral. At the same time, it was to be considered that, on the one side, there were ties of alliance with our government; while, on the other side, there were none; therefore he could not allow the hon. and learned gentleman to carry his parallel so far as to pass over such a consideration. As to Trinidad, certainly, if steps were taken to supply one of the parties carrying on hostilities with arms, to be used expressly for the annoyance of the other party, that would be a breach of neutrality. He could not be expected to say any thing that would look like countenancing British officers to serve on the side of the insurgents, when there were none such serving against them.

Mr. Brougham said, that as to marshal Beresford, it might be true, that he was not serving against the insurgents; but was it true that that officer had been engaged in superintending the embarkation and organization of the force which proceeded against Monte Video?

Mr. Lamb said, that there seemed to be a strange anomaly in the situation of lord Beresford. It was true, that he was an officer in the service of the king of Portugal, but at the same time he was still a British officer; and would not those proceedings in which he acted be considered as sanctioned by the British government?

Lord Castlereagh said, the principle was perfectly recognized by all the European powers, that the subject of one Crown might be employed in the service of another, so long as he was not recalled.

The motion was then withdrawn.

Mr. Ponsonby rose to put a question to the noble lord, which was not irrelevant to the subject that had been just disposed of. A bill was, he understood, lately in-

introduced in the legislative assembly of the United States, giving a new power to the president, for the purpose of the enforcement of strict neutrality. The title of this bill was "a bill to prevent citizens of the United States from selling vessels of war to the citizens or subjects of any foreign power, and more effectually to prevent the arming and equipping vessels of war in the ports of the United States, intended to be used against nations in amity with the United States." The intention of this bill was evidently to prevent any speculation, either in money or arms, which had for its object the assistance of the independents, as they were called, in South America. It was said that this measure arose from the interposition of the Spanish ambassador in North America, who had presented remonstrances to the president of the United States, which remonstrances were backed and strongly urged by the English minister on the spot. The object of his question was, to know whether there was any foundation for the rumour that the British minister had so acted, and if he had, whether his majesty's ministers conceived that this was acting the part of strict neutrality?

Lord Castlereagh had no difficulty in stating, that the prohibition alluded to, on the part of the United States, was taken solely on the view of that power as to its own policy, and not in consequence of any suggestion or interference from any other quarter.

Mr. Ponsonby said, he was glad to receive such an answer from the noble lord. He then begged leave to advert to a treaty signed at Madrid on the 5th of July 1814, by the British minister, on the part of his Britannic majesty, and Ferdinand 7th of Spain. In this treaty he found one article (the fourth) with the following stipulation:—"In the event of the commerce of the Spanish American possessions being open to foreign nations, his Catholic majesty promises that Great Britain shall be admitted to trade with those possessions as the most favoured nation." * That is, that she shall have a fair participation in any advantage which may arise to her as a commercial country, from the South American trade being so thrown open. To this treaty there had been affixed three additional articles. To the third of these, he begged to call the particular attention of the noble lord op-

posite. The noble lord had said that our relations with the affairs of Spain and her colonies were those of strict neutrality. Of this strictness he (Mr. P.) did not complain, for he was by no means inclined to say that it would be fit for this country to manifest an officious interference in the contest between Old and New Spain. That neutrality ought to be strict, and if any encouragement were given that England would take a part with her ally, or in any way interfere so as to make herself a party to the struggle, he would freely state that his majesty's ministers, in advising such a measure, would depart from the best interests of their country. The third article to which he called the noble lord's attention, was as follows: "His Britannic majesty, being anxious that the troubles and disturbances which unfortunately prevail in the dominions of his Catholic majesty in America should entirely cease, and the subjects of those provinces should return to their obedience to their lawful sovereign, engages to take the most effectual measures for preventing his subjects from furnishing arms, ammunition, or any other warlike article to the revolted in America." Now, what did this stipulation mean? If it meant to say, that the king of Great Britain was sincerely anxious that the subjects of Old Spain should return to their allegiance with their "lawful sovereign," it could be at once nothing less than a direct invitation to the king of Spain to prosecute his views against the spirit that had broken out in his South American dominions, and almost as direct a one as could be given by a regular identity of action between the two governments. This treaty was signed by sir H. Wellesley, and it was so much at variance with the policy which this country ought to pursue, that he would give notice of his intention to move for copies of the instructions sent out to sir H. Wellesley, by his majesty's government, on the authority of which he had signed this treaty.

Lord Castlereagh thought it extraordinary that this treaty should have so long escaped the attention of the right hon. gentleman. It had lain on the table nearly two years, and yet until this moment no objection was made to its provisions. The strict meaning of neutrality was, that we should not interfere by force or direct influence in the quarrel between the parties; but he never heard that the principle of our mediation, in the face of Europe,

* See Vol. 30 p. 227.

could receive the construction which the right hon. gentleman seemed to intimate. This country was certainly interested in mutual arrangements between Old and New Spain, on liberal terms. It was avowed on the part of this country, that our wish was, to see Spain and her colonies reunited; that they could cherish no hope in the way of arms from us; but that we were ready, if in our power, to contribute to the restoration of that connexion between them which had so long subsisted, provided it could be done with honour to ourselves and advantage to them both. When the motion was gone into, he would be prepared to meet it, though he could not help repeating, that the course taken was rather extraordinary, after the treaty had been signed three years, and had lain on their table nearly two.

Mr. *Ponsonby* admitted, that the treaty had been laid on the table on the 16th of March, 1815. It was equally the fact, that he had not, until within the last few days, heard of such a treaty. It was then laid upon the table, among a number of other papers, and no step taken upon it, either in the shape of an address of thanks to the Prince Regent for presenting it, or a motion in approbation of its provisions. Under these circumstances he was not surprised that it had been overlooked.

Mr. *Brougham* said, that in the second additional article of the treaty alluded to, there was the following declaration:—"His Catholic majesty, concurring in the fullest means in the sentiments of his Britannic majesty with respect to the injustice and inhumanity of the traffic in slaves, will take into consideration with the deliberation which the state of his possessions in America demands, the means of acting in uniformity with those sentiments." Now this deliberation on the part of his Catholic majesty had lasted more than two years, and the result of it seemed to be, that the trade in slaves was rather encouraged than restricted. In one year since this treaty was signed 20,000 slaves had been imported into the island of Cuba, and 40,000 into the territories of our faithful ally the king of Portugal. He requested to know whether any correspondence had taken place on the subject of the fulfilment of the second additional article of this treaty?

Lord *Castlereagh* did not feel himself bound to answer the question; as a fitter opportunity would shortly arrive.

The subject here dropped.

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HOUSE OF LORDS.

Thursday, March 20.

[SEDITIONS MEETINGS BILL.] The order of the day for the second reading of this bill being read,

Lord *Sidmouth* said, it was not his intention to detain the House long, as he understood that any objections that might be made, would go rather to some of the provisions of the bill, than to its principle. Since the outrage against the Prince Regent, and the report of their lordships committee, three bills had passed the legislature—one for giving his royal highness the same protection as his majesty had, and rendering the provisions perpetual as to both; another to punish, with greater severity than before, any attempt to seduce soldiers and sailors from their allegiance; and the third, for detaining in custody certain persons suspected of being concerned in treasonable practices. With respect to the two first of these bills, it would have been wise and proper to pass them, though the circumstances which had occasioned the passing of the other, had not existed. The third bill was founded on the information which the executive government had laid before their lordships committee, and on which the committee had reported, that there existed a traitorous conspiracy for the subversion, by means of a general insurrection, of the government, laws, and constitution of this kingdom; and the committee, at the close of the report, stated, that farther provisions were necessary for the preservation of the public peace.—What were the circumstances that led the committee to that conclusion? They must have been such as convinced the committee, that the existing laws were not sufficient to meet the evil, chiefly because, under the law as it stood, it was in the power of a few persons to bring together, without the sanction of any recognized authority, in the neighbourhood of great towns, where distress and discontent prevailed, the turbulent and the factious of every description, to consider and discuss the state of the country. But it did not depend merely on the statement of the committee, for it was notorious, that, at meetings so called, ill-disposed persons took the opportunity, with such dexterity as to evade the law, of inflaming the minds of the people, leading them from discontent to sedition. This was the danger which the committee had in contemplation when

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it stated, that farther provisions were necessary; and it was principally from the consideration of that evil, that the present bill was introduced. The bill was formed upon the plan, and made up chiefly of the provisions, of the Seditious Meetings Acts of the 36th and 39th of the king. His lordship then entered into a short explanation of the enactments of the bill. He said, he could not anticipate to the general principle of these provisions any objection, not imagining that any of their lordships, however they might differ as to particular clauses, would object to making some farther legislative provisions, in order to remedy those evils, and prevent those dangerous consequences, which manifestly arose from allowing the kind of meetings to which he had alluded, to be held and adjourned over at pleasure, without check or control. His lordship concluded by moving, the second reading of the bill.

Earl Grosvenor said, he did not know what had led the noble secretary to conclude, that there was no difference of opinion as to the principle of the bill, as he had distinctly intimated his objections to it. He had considerable objection to all the clauses of it, except one; which was very like an objection to the principle. However, he would reserve what he had to say upon the principle of the measure, till the third reading, when he should have an opportunity of seeing the bill as it came out of the committee. In the mean time, he could not but state, that he saw no necessity for joining the temporary and permanent provisions in one bill. It was an awkward manner of legislating, and might produce legal difficulties as to the construction of the act. He saw no reason why the bill should not be divided, and would move an instruction to the committee for that purpose. He could not agree with the noble secretary, that the law as it stood was not sufficient to meet the evil. He had, on the contrary, always thought the existing law powerful enough, if properly applied, to answer the purpose: or, at least, that nothing more was necessary than to strengthen it. He and the noble secretary differed widely in their views, both of the danger and the remedy. He conceived, that all they were doing was wrong; and that the measures they were adopting were likely to create the danger against which they were intended to guard; to engender a spirit of disaffection where it did not be-

fore exist; and to embody resentment where none was before felt.

Lord Holland hoped, that no advantage would be taken of their not having discussed the principle of the bill now. He concurred in that clause which, generally speaking, went to give greater weight to public meetings, and likewise in that which went to prevent improper meetings. Of all the rest of the bill he disapproved; and it ought to be observed, that they had now, in about three weeks, made more alterations in the law, with reference to the present difficulties, than Mr. Pitt's administration had done in six months, in a period of greater alarm. The ministers had swept together every thing that had been passed in moments of difficulty, and re-enacted them in a heap, making some of the provisions permanent. He concurred with his noble friend, that what was temporary ought to be separated from what was permanent. These provisions were distinct in their nature, and ought to be included in separate bills.

The bill was read a second time, and ordered to be committed to-morrow. Earl Grosvenor then moved, that the committee be instructed to divide the bill.

The Earl of Liverpool could not concur in that motion. If any such legal difficulties as the noble earl had alluded to should arise, from that which was temporary being included in the same bill with that which was permanent, then certainly it would be proper to divide the bill; but he could not conceive how any such difficulties could arise, the temporary and the permanent provisions being both distinctly stated.

Lord Holland thought that the bill ought to be divided, as it was a confused mode of legislating to unite temporary and permanent provisions in the same bill; and he was happy that the motion was made, as it would at least appear on the Journals, that there was one peer who had objected to that course.

The motion was negatived.

WEST INDIA SLAVES.] Lord Grenville rose to call the attention of the House to a subject which had been under the consideration of the House last session: he alluded to the subject of the Abolition of the Slave trade and the Registry of Slaves. He had then stated the reasons which induced him to refrain from pressing any specific measure to be adopted by parliament, with respect to the registration of

slaves in the colonies. The reasons were, that he had been informed, that it was probable the local legislatures would adopt such measures as would answer the purpose. He had last year stated his intention of bringing the subject before their lordships early in the present session. The reason why he had not done so was, that he understood the local legislatures had had such measures under discussion, and that, in the principal colony, an act had been passed for the object which he had mentioned. He never could admit, that by any act of the Crown, a million of British subjects should be withdrawn from the control of the imperial parliament; but at the same time he admitted, that if the local legislatures would adopt such measures as would effectually accomplish the great object in view, it was much better that this should be done by them than by others. He expressed his hope, that his noble friend would state what had been done by the local legislatures on this important subject. He wished to know, first, whether there had been any discussion by the legislature of Jamaica, and by those of the other colonies, on the subject in question? Secondly, whether any bills had been passed; and, if passed, whether any of them had been received by the ministers of the Crown?

Earl Bathurst stated, that after the subject had been discussed in that House, a letter had been addressed to the governors of the several West India islands, with instructions to make the proper communications to the assemblies, and persuade them to adopt such measures as were best calculated to accomplish the object in view. He was now able to state to their lordships, that intelligence had been received, that in Jamaica a bill for the registration of slaves had been passed; and also another bill for giving greater effect to the object of the abolition of the slave traffic; that in Barbadoes an act had been passed for the registration of slaves; and that in St. Vincent's, and other islands, the subject had been under discussion; and it was expected, that all the other legislatures would follow the example of Jamaica. The acts which had been passed would, as soon as possible, be laid on their lordships table. With respect to the colonial legislatures, he must say, that they had evinced every disposition to attend to the wishes of the legislature and public of Great Britain, and to promote the object in view.

Lord Grenville said, that the information now communicated by his noble friend, afforded him the most lively satisfaction; and he was more particularly gratified by the assurance, that the colonial legislatures had shown a sincere desire to contribute to the accomplishment of the great object in view. He hoped the bills would, without delay, be laid on the table, that they might see how far they were calculated to answer the purpose; and, if there were no objection, he would now submit a motion to that effect.

Earl Bathurst said, that it was his intention, before Easter, to lay the acts on the table.

HOUSE OF COMMONS.

Thursday, March 20.

TRINIDAD.] Mr. Goulburn, in presenting certain proclamations issued by the governor of Trinidad, said, he could have wished to vindicate that individual from the imputations cast upon him by an hon. and learned gentleman (Mr. Brougham), whom he did not then see in his place. As he was not present, however, he should merely make one observation upon the charge, that British hospitality was sold in that island for the emolument of the governor. It was the invariable rule of that colony, that no fees were paid for permission to reside there, and the hon. and learned member, therefore, who had made the accusation, was altogether misinformed.

Mr. Bennet said, he did not recollect that his hon. and learned friend had made any such charge; and he was the more certain that he had not (at least in his hearing), because, from the knowledge he had of the governor of that island, and the respect he felt for him, he should certainly have risen to state, that he believed him utterly incapable of the alleged conduct. The observation must have been directed, not against the governor, but against the assessor of the island, a Spaniard of the name of Gomez, and who, from all he had heard, was totally unfit to hold the situation.

Mr. Goulburn replied, that having seen the charge so stated, in the usual channels by which the debates in that House were made public, and having made inquiries among the members, he was led to understand that what he had asserted was correct.

Mr. *Bennet* said, he found he had mistaken the hon. gentleman, in supposing he alluded to his hon. and learned friend (Mr. *Brougham*), instead of the hon. member for Sandwich (Mr. *Marryat*).

Mr. *T. Courtenay* observed, that the hon. member for Sandwich certainly did say, that British hospitality was sold in the island of Trinidad, but he did not understand him to affirm, that it was sold for the profit of the governor.

EXCHEQUER BILLS BILL.] On the motion for the third reading of this bill,

Mr. *Barnett* wished to be informed, whether it was the intention of the chancellor of the exchequer, before he communicated to the House his view of the ways and means for the year, to add still farther to the unfunded debt of the country, amounting, as it did now, to fifty millions, what must be the effect of such a floating debt, in the event of a change in our relations? Unless the right hon. gentleman was assured, that the tenure of his office was in perpetuity, he surely ought to feel what would be the nature of his successor's difficulties, under any change of system, in consequence of the course he was pursuing. It might throw wealth into the coffers of the bank of England, but the country had something more to expect, under its difficulties, from a public minister, than this trifling game with any public body.

The *Chancellor of the Exchequer* could not think the House would object to the issue of exchequer bills, when they considered how much more advantageous such a mode of raising money was, than contracting a loan with the three per cents at 80. He admitted that it would be injurious to the country to continue such a system from year to year; but he approved of it as a temporary expedient, until an opportunity should arise of converting the unfunded into a funded debt, with more advantage than could be done at present.

Lord *Cochrane* observed, that the exchequer bills were usually deposited in the bank of England, and bank notes, bearing no interest, issued on them; and that this was the cause of the present rise in the funds.

The *Chancellor of the Exchequer* said, that if the noble lord had inquired in the city, he would have found that exchequer bills were disposed of in a very different manner, and that they bore a high premium in the market.

Mr. *Brougham* censured the plan of finance, from hand to mouth, which the chancellor of the exchequer was pursuing, as one which had no solid foundation. Some other expedients, to which the right hon. gentleman would have recourse, were rumoured abroad, but they were of a nature that he could not credit, and he mentioned them solely to give him an opportunity of contradicting them. The House must be aware, that the West-India dock company were bound by an act of the 39th of the king, after their dividends had reached 10 per cent. to divide no more, but to reduce the rates of admission to the docks, in favour of the trade of the country. One would think that while the trade of the country laboured so excessively as it did at present, government would gladly resort to every means of affording it some relief; but the report stated, that instead of so doing, government, like spendthrifts, without even waiting for the expiration of the 21 years of the company's charter, were resolved to renew their lease, and receive from them a fine of about 5 or 600,000*l.* This, it was said, would form one of the miserable expedients of raising money. But from what funds would it come? Not from the funds of the company, but from the commerce of the country, in favour of which the act had originally stipulated for the reduction of the rates. Similar rumours were in circulation with respect to other companies, to all of which he anticipated a direct contradiction.

The *Chancellor of the Exchequer* thought it strange that the hon. member should censure ministers for a reputed act, which he acknowledged was without foundation. The hon. member was correct in saying that such rumours were wholly without foundation; no negotiations had been entered into with the dock company concerning it. But he at the same time reserved on the part of the government and the country, a right of participating in their profits if they should find it necessary.

Alderman *Atkins* said, that there was a redundancy of floating cash in the market, of which the chancellor of the exchequer was perfectly right to take advantage. He hoped, however, that his right hon. friend would not think of inducing the House to continue the monopoly to the dock company against the best interests of the commerce of the country.

The bill was then read a third time and passed.

PETITIONS RELATING TO REFORM, &c.] Mr. *Brougham* presented a petition from the inhabitants of the ward of Bishopsgate, praying for Parliamentary Reform. The subject had been so frequently before the House that it remained only for him to protest against the delusion, so much depended upon, by the opponents of the measure, that no weight ought to be given to the numerous petitioners in favour of reform, because the petitions had been set on foot by persons who were actively engaged in recommending that measure. Let those who advanced that doctrine accept the challenge he had before thrown out, let them in their turn set on foot petitions against reform, and see what number of signatures they could obtain. The result, he had no doubt, would establish the fact, that a very great majority of the people were solicitous for a constitutional reform in the representation. With respect to the manufacturing of petitions as it was called, it was to be recollected that Mr. Pitt and the duke of Richmond, both concurred (though it was due to the former to say that he never did proceed to the length of universal suffrage) in the propriety of circulating petitions in furtherance of their object, for the signatures of those who were friendly to reform.

Mr. *Banks* denied that Mr. Pitt had ever given his countenance to the doctrine of universal suffrage, and from the habits of intimacy in which he was with him, he could take upon himself to say, that he believed he never was a party to the manufacturing of petitions.

Mr. *Brougham* said, that either the hon. gentleman must have greatly misconceived what he stated, or he was not in the House at the time. He had particularly mentioned that Mr. Pitt did not go all the lengths of the duke of Richmond, as to universal suffrage; but it was curious, when the reformers were twitted and taunted with being enemies to their country, or jacobins, it was studiously kept out of sight, that Mr. Pitt was once a most strenuous and active reformer. He had only to refer them to the correspondence of the Rev. Mr. Wyvill, to see the notes that had passed between Mr. Pitt and the active reformers of that day. In the case of the king v. Frost, who was a respectable attorney, but certainly not of equal consequence with Mr. Pitt, it was proved, that Mr. Pitt had addressed him as a "zealous friend" to the public, on no other account

than that of his active co-operation on the subject of reform.*

The Hon. *J. W. Ward* observed, that the friends of reform appealed to the authority of Mr Pitt in his early life, while the opponents of that measure referred to his conduct in matured life, and particularly after the experience of the French revolution. Whatever had been the practice alluded to, he certainly would never admit that petitions manufactured in London, and sent down ready made to the country, perhaps imperfectly representing, if not contradicting, the sentiments of the subscribers, could be entitled to the same consideration as those which proceeded generally from the dictation of petitioners themselves; nor would it be just that they should, though such, it would appear, had been the sentiments of his hon. and learned friend.

Lord *A. Hamilton* said, that after his hon. friend had voted two or three times in favour of parliamentary reform, it peculiarly became him to be the apologist for Mr. Pitt's change of opinions. While he was on his legs, he begged to say, that as to the statement made the other evening of a petition from Dumfriesshire having been signed by children, he had that day received a letter from a very respectable gentleman on the spot, who directly contradicted that statement.

Mr. *Sharp* said, that the hon. gentleman (Mr. Ward) had, in his mind, misrepresented the nature of Mr. Pitt's support to the cause of parliamentary reform. He could assure that hon. gentleman, that so late as the Irish union, Mr. Pitt in the arrangement of the representation of that part of the united kingdom, had taken the utmost pains to secure to the people the power of returning sixty out of the hundred members who were to be returned to parliament.

The petition was ordered to lie on the table.

HOUSE OF LORDS.

Friday, March 21.

SEDITIONS MEETINGS BILL.] The House went into a Committee on this bill. On the clause declaring a meeting of fifty persons or upwards, without previous notice by public advertisement, signed by seven householders, or a similar notice given to the clerk of the peace, to be an

*See 22 Howell's State Trials, 494.

unlawful meeting, which might be dispersed after proclamation made by one or more justices, and enacting the punishment of death on these persons, to the number of twelve or more, who should remain after such proclamation made.

Lord *Grenville* recommended a new wording of some parts of the clause, in order to render it more clear, it being at present a matter of doubt whether the penalty of death might not apply to persons who formed no part of the original meeting, but who merely happened to be present at the expiration of the hour. He therefore wished words to be used, applying the penalty specifically to such persons having been present at the meeting who remained at the expiration of an hour; and to this offence, it being a direct resistance of the lawful authorities of the realm, he agreed that it was not improper to apply the punishment of death.

Lord *Holland* thought that the penalty of death was by far too heavy a punishment to be inflicted under the circumstances described in the bill. This part of the clause was, he was aware, copied from the riot act; but it should be recollected, that to constitute the offence described in that act, there must be, on the part of the persons assembled, some riotous acts. Under the present bill, there was no such qualification, as, for any thing that appeared on the face of it, persons merely remaining on the ground where the meeting was held, to the number of twelve or more, perhaps conversing about it, or ignorant of the law, might be subjected to the punishment of death. Considering this as by far too heavy a penalty for such an offence, he should move to substitute a lesser punishment.

Lord *St. John* observed, that as the words at present stood, if the clerk of the peace, having received a notice of an intended meeting, signed by seven householders, neglected to communicate it to three magistrates, such meeting might be deemed an unlawful meeting under this bill, although the parties calling it had complied in every respect with the enactments of this clause, and the persons remaining as described might be subjected to the punishment of death. He objected also to giving power to one magistrate (whose mind might possibly be warped by passion or prejudice) to place persons assembled at a public meeting in a situation which might subject them to the punishment of death; and this too, perhaps

under the circumstances he had described, where the meeting was actually legally assembled. Two magistrates were required to remove a pauper, and the whole magistracy of a county, sitting with all the judicial forms of a court, could not subject any individual to the punishment of death. Still less, he thought, ought it to be allowed to one magistrate to place persons at his discretion in such a situation that they might be liable to the penalty of death.

The *Lord Chancellor* maintained, that the clause never could be construed to mean that a meeting legally assembled, in consequence of a notice given by seven householders to the clerk of the peace, could be rendered illegal by the mere circumstance of the clerk of the peace not having communicated the notice to three magistrates. The clerk of the peace might be indictable for a neglect of his duty; but his not performing that duty could not render the meeting, of which due notice had been given to him, illegal. With regard to the punishment of death, he could only say, it was matter of notoriety that meetings had been lately held greatly endangering the public tranquillity, and those noble lords who thought that such meetings ought to be effectually put down, would, of course, vote for the punishment of death, whilst those who considered that such meetings only constituted a minor offence, would vote for a lesser punishment.

Lord *St. John* still contended, that under the words of the clause, as it stood, the construction might be as he had stated it.

The Earl of *Rosslyn* certainly did not believe that any court of justice would sentence an individual to death, on account of the omission on the part of another person to do a certain act; but he contended, that the clause ought to be made more clear.

Lord *Ellenborough* thought the clause quite clear as it stood, the persons attending the meetings not being responsible for any omission of duty on the part of the clerk of the peace, but he had no objection to any alteration that would make it more clear.

The Earl of *Lauderdale* said, there was no doubt that the words "in such case" used in the clause, would apply both to the notice given to the clerk of the peace, and the communication to be made of that notice by the clerk of the peace to

three magistrates, and that thus a meeting might be declared unlawful, which was legally summoned.

The *Lord Chancellor* had no doubt that a meeting legally summoned by a notice given to the clerk of the peace, could not be rendered unlawful by the clerk of the peace neglecting to communicate that notice to three magistrates. He, however, would not object to an amendment that might render the clause more clear.

It was at length agreed to leave out the words "in such case."

Lord Holland moved, that the words "imposing the punishment of death" should be left out.

Lord Grenville said, that if the act, in respect of which the punishment of death was imposed, had been the mere circumstance of going to an unlawful meeting, as his noble friend seemed to imagine, he admitted, that the punishment would be too severe; but it was not the going to the meeting, but the refusing to disperse, when commanded, that rendered the persons so disobeying liable to the punishment of death.

Lord Holland was perfectly aware that the act by which the penalty was incurred, was the not dispersing, when commanded; but he repeated, that the punishment was infinitely too severe for the mere act of peaceably remaining. In the case of the riot act, the penalty was incurred, not by the mere act of remaining, but by that of remaining riotously and tumultuously. He thought the punishment of death too severe for any of the offences described in these clauses; but here it was glaringly disproportionate to the crime. It was not analogous to the punishments imposed in other cases. A smuggler unarmed might, without incurring this penalty, do acts which, if done by an armed smuggler would render him liable to this punishment.

The *Lord Chancellor* said, there was a distinction certainly between an unlawful assembly and a riotous or routous assembly; but, under the present circumstances, the punishment of death ought to be here retained.

The amendment was negatived.

Lord Erskine rose on the clause relative to the holding of any meeting, the notice for which should purport that any matter or thing by law established may be altered otherwise than by the authority of King, Lords, and Commons, in parliament assembled; or tend to incite or stir up the people to hatred or contempt of his majes-

ty, his heirs, or successors, or of the government and constitution of the realm, as by law established. He considered this clause as involving two offences of different descriptions. The first which was contained in the notice was punishable as libel on its publication; and with respect to both, to give any justice of the peace the power of determining what is or is not libel, was a greater power than was given to any judge. It was true, also, with regard to the second branch of the clause, that whatever had a tendency to excite hatred and contempt of his majesty, his heirs or successors, was a libel, and punishable by law: but to say when words spoken, or a paper published, may or may not have that tendency, was not left to his noble friend who presided in the court of King's-Bench. It was indeed his duty to state his opinion, as to their being a libel or not; but it was for the jury finally to decide. If at a meeting it was proposed to alter any thing, otherwise than by the consent of the King, Lords, and Commons, that was a matter of fact of which any magistrate could judge; and the sooner such a meeting was dispersed the better; but whether certain words might have a tendency to incite to hatred and contempt, was matter of opinion; and as the final decision on questions of opinion was not left to judges, it would thus be in the power of a single justice to construe words which might relate merely to the defects in the representation of the other House of parliament into libel, and to exercise an arbitrary power of punishment. Under such authority no meetings could be safely held, except Quaker meetings. No man reprobated more than he did those violent attacks which had been made in certain assemblies on the character of parliament. He condemned them, both on account of their violence, and of their tendency to place at fearful distance all due consideration of that most serious and important question, reform. With regard to the wording of the clause, it was absurd to suppose that such a notice could be given for a meeting as to alter any thing otherwise than by the consent of King, Lords, and Commons. Did any person ever hear of such a notice? That where there was disease it was right to apply a cure he was ready to admit; but here the cure was unnecessary, as a remedy was already provided by the due course of law.

Lord Holland objected to the clause on the ground of its inconsistency. It was a

libel on the government of the country to suppose that crimes went unpunished; which it was to be presumed was the case from the wording of this clause. If such a notice as that contemplated in the clause were given, it would be the duty of his majesty's government to order a prosecution. Another very serious consideration was, that persons might assemble under a notice, which having passed through all the regular forms required by the law, might appear to them legal, yet those persons thus assembled would be liable to the same punishment as those who framed the notice.

Lord Grenville could not but admit that two very distinct things were mixed up in this clause; but he by no means thought the giving of a notice of the description in question so very improbable a case as his noble friends had supposed. If he was not deceived, he had in his time seen a convention sitting in this country under a notice which had for its object to alter things established by law, otherwise than by the consent of King, Lords, and Commons. He therefore, thought that means should be adopted to counteract notices of the kind referred to in the clause. At the same time he thought it right, that an assembly, which might be so called together, should not be misled as to their situation. With a view to the precautionary purposes of the bill before their lordships, it was a fair question whether it might not be proper to legalize notices, which would otherwise be illegal: but, then, it would be proper to provide, that the persons giving such notice should still be liable to be proceeded against by due course of law. On the other hand, the situation of persons who might be misled under the sanction which the law gave, ought not to be overlooked; and it were to be wished that some mode should be devised of cautioning people against attending such illegal assemblies. He had considered this subject, but had not discovered any mode of attaining the object he had stated which was satisfactory to his own mind.

Lord Ellenborough was of opinion that the authority given to a single justice of the peace was not of the nature his noble and learned friend had described it to be. It did not constitute the magistrate a judge of libel, nor invest him with a power of punishment. It only gave him the power of dispersing the meeting: whether what had been spoken or published was libellous, was a ques-

tion to be afterwards determined. Under the circumstances of the case some power must be given; and what less power could be given in a crisis of urgency and probable mischief, than that of dispersing a meeting from which danger might be apprehended?

The Earl of Lauderdale objected to the clause. It implied, on the face of it, that the existing laws were not executed; and if the bill passed in its present form, it would amount to a declaration, that the legislature suspected that the magistrates of the country did not do their duty.

The Lord Chancellor did not conceive the clause to be liable to the objections which had been urged against it. If, however, any words could be suggested to make it clearer, or to remove the scruples of noble lords, either by a provision for making the persons who issued the notice liable to be prosecuted by a due course at law, which they certainly were as the clause now stood; or for preventing persons from being so far misled, as to assemble under the notice, or for both of those objects, such alteration might be made by way of rider, on the third reading of the bill. With respect to the possibility of a notice of the nature referred to in the clause, he agreed that it was not so very improbable an occurrence as some noble lords had supposed. Indeed, he had seen a notice for a meeting, in the neighbourhood of the metropolis, previous to the 2d of December, which was of a highly blameable nature. It was true, as his noble and learned friend had said, that the notice might be made the subject of prosecution on its being issued, and the persons signing it brought to punishment: but in the mean time the meeting would be held. Before even instructions could be given to an attorney to proceed, all the mischief, which it was the object of the clause to prevent, might be completed. No more power, then, was given than was absolutely necessary at a time like the present, when wicked and artful men were seeking, by speeches and publications, to undermine the principles of the people; because they knew that, unless they first succeeded in shaking the morality and religion of the country, and banishing the best feelings which glowed in British hearts, they could not hope to overthrow the constitution. With regard to the act for the suspension of the Ha-

beas Corpus, which a noble lord opposite had considered as aggravating the enactments of the present bill, he must observe, that that act did not deprive persons of the right of being bailed, except in cases of committal on charges of high treason and treasonable practices. In the present state of things, no precautionary measures had been adopted beyond what was absolutely necessary. If a system was acted upon in the country, tending to make public meetings a means of overturning the government, the persons having such object in view, would laugh at the punishment of their notices by the usual course of law. No feeble measures would do. If their lordships thought it right, that the religion and morality of the country should be destroyed, and the government disrespected, they would leave the law as it now stood. If, on the contrary, they wished to secure the inestimable blessings the country enjoyed, they would not hesitate to invest the magistrates with the stronger powers proposed to be given by the bill, in so doing, they would only imitate what had often been done by their ancestors, namely, to suspend their liberties for a short time, in order to have the full enjoyment of them for ever after.

Lord *Holland* did not see how the particular powers given by this clause, and defended by the learned lord, were necessary. He entirely dissented from the clause which gave one magistrate, merely upon his own discretion, authority to disperse a meeting.

Lord *Erskine* was of the same opinion. When a notice was altogether unexceptionable, the meeting that assembled in the terms of it ought not to be dispersed merely because a magistrate, in his zeal or ignorance, might think that it entered into discussions which to him might appear dangerous.

The Earl of *Lauderdale* suggested, that some alteration should be made in the clause that related to the giving of lectures. By the bill as it stood, any person giving lectures on philosophical subjects, without licence, would be liable to a penalty of 20*l.*, and this licence might be refused by the magistrates. In Edinburgh, where the magistrates were patrons of the university, and where they might be supposed to view with some jealousy any rival institution for instruction, they might refuse a licence to a lecturer; and, if he proceeded to discuss philosophical sub-

jects afterwards, to give lectures on anatomy, on chemistry, or any other science, both he and his pupils would be subject to the penalties of the act.

Lord *Sidmouth* answered, that the penalties would not apply.

The House resumed, and the report was ordered to be received on Monday.

HOUSE OF COMMONS.

Friday, March 21.

UNJUST IMPRISONMENT—PETITION OF JOHN WEIR.] Sir *Samuel Romilly* rose to present a Petition, of the merits of which he knew nothing, neither did he know the person who made the complaint. It was transmitted to him by a professional gentleman in Glasgow, and he felt it his duty to present it to the House. The petitioner subscribed himself "John Weir," and was a muslin manufacturer at Glasgow. He stated, that on the morning of Sunday, the 23rd of February last, while in bed, six persons entered his House, found their way into his chamber, and demanded that he should immediately get up and accompany them to prison, on a charge of sedition or treason. After some delay and difficulty, they showed him the warrant on which he was apprehended, which merely contained his surname, and described his residence as in Black's-land, Green-street, whereas, in point of fact, he lived at Taylor's-land, Great Hamilton-street. He was, after being taken out of his bed, conveyed in custody to the common gaol, placed for a time in a confined cell at the felon's side of the prison, notwithstanding his full protestations of innocence, and not brought up for examination until the Wednesday following, when he was taken before the sheriff substitute, Mr. D. Hamilton, and examined on various points, all of which he met by a flat negative. He was asked, whether he knew and frequented the house of a man, named Hunter, or knew persons of the names of Boyle and Finlayson? He neither knew the one nor the other; and was then told by the sheriff substitute, that his persevering in denial looked very suspicious. He was remanded to prison, and not discharged from thence until the Thursday following. He denied having ever interfered in politics. For this imprisonment, the particulars of which the petitioner, was ready to verify in any manner that the House desired, he claimed

redress, and prayed for an inquiry into the nature of the transaction. The hon. and learned gentleman concluded by hoping that some member from that part of Scotland, where the act was said to have been committed, would be prepared either to give some explanation as to this business, or to make the necessary inquiries into the facts of the case. At present he would content himself by moving that the petition be brought up.—It was then brought up, and read at the table.

Mr. *Finlay* knew nothing of the circumstances alluded to in the petition, but he thought some consideration was due to the situation of a sheriff, who was very often compelled to discharge a painful duty, and to act at the suggestion of others. If the facts should turn out to be as they were set forth in the petition, he was satisfied, from the respectable character of the sheriff substitute, that that officer must have acted upon information, which at the time, he believed to have been correct. As to the early hour when the arrest was made, all he should say was, that in the part of the town where the warrant was executed, it was often necessary, if late in the day, to provide the civil power with military aid, to enable them to execute their duty, in consequence of the resistance which the neighbourhood sometimes afforded on such occasions. As to the circumstances of the mode of confinement, he was sure they were grossly exaggerated, for there was no prison in which more comfortable apartments and general accommodation were afforded than in that at Glasgow. He hoped the House would not decide on hearing an *ex parte* statement.

Mr. *W. Smith* thought the petition entitled to serious consideration. It set forth a number of gross grievances, and the commission of several acts of hardship, quite needless for the safe custody of a prisoner. The hon. member who had last spoken, seemed to think that his own flat negative would be sufficient to warrant the House to reject all inquiry. He condemned this hasty and intemperate proceeding on the part of magistrates, whereby the personal liberty of the subject, was endangered without cause.

Mr. *Finlay* did not wish to prevent, but to suspend inquiry, until the statement of the sheriff substitute was obtained. For this he should himself immediately apply.

Ordered to lie on the table.

[GAME LAWS.] Sir *S. Romilly* moved the second reading of the bill for repealing the act passed in the last session for the preservation of Game.

Mr. *Banks* said, that as another bill (sir *E. Knatchbull's*) was then pending in the House, which met with general approbation, and had the same object in view as the present one, he thought that the measure of the hon. and learned gentleman should be suspended, until the other came under their consideration. He would, therefore, move as an amendment, that the bill be read a second time on Monday se'nnight.

Sir *S. Romilly* said, that this bill was intended to repeal one which had been passed last year, in order to punish persons going out at night with arms in their hands to steal game. In its application, however, the bill had been made to punish persons who had been taken with nothing about them but nets, for the purpose of ensnaring game with seven years transportation, which punishment had only been intended to meet the other offence. He did not object to that offence being punished with transportation, and what he had in view would be in a great measure accomplished by the bill brought in by the hon. member for Kent, but that bill could not now be passed till the next quarter sessions were over. But for this circumstance he should not be anxious to press the bill now under consideration. When, however, he reflected, that if the subject were suffered to lie over till after the next quarter sessions, many persons, comparatively innocent, would probably suffer under the existing law, he thought it of importance that this bill should pass without loss of time. He had heard of several cases of great hardship which had occurred under the act now in force—cases, in which persons, whose offences were not of an aggravated nature, had been sentenced to transportation, partly on account of the character they had previously borne. In some cases, its operation had been peculiarly hard on those tried under it, as it had come upon them like an *ex post facto* law. The late Mr. *Horner* had been said to have approved of the bill now in force. To any person who knew that most respected individual, it must seem, when they were told this, that he had, on the occasion referred to, forgot for a time those principles which were nearest to his heart; for among all his good qualities there was no one by which

his lamented friend was more distinguished than an anxious wish to protect the people against any measure of a character that at all approached tyranny. He, however, knew most positively that Mr. Horner had disapproved of the bill passed in the last session; for he (Mr. Horner) had attended with him night after night, for the purpose of opposing it. They were prevented from doing so by the circumstance of its being found impossible to get to the bill, from their being 30 or 40 orders a day before the House, while they came down for the purpose he had mentioned, and at last they had given up their opposition, as the hon. member who had brought in the bill agreed to strike out that clause which they considered most mischievous in its tendency. As originally brought in, the bill left persons taking at night without arms, but with nets and wires about them, liable to be transported for seven years, without a trial by jury, on a conviction before two magistrates. The omission of this clause was the cause of the bill passing without opposition from Mr. Horner, as, though still objectionable, he considered it to be much better than it had been. The game laws, as they at present stood, had a tendency to multiply crimes. They had the effect of exciting a ferocious spirit, not only among the lower classes, but also among those in the higher walks of life; as was seen by the use made of spring guns, and other engines of death, or of great bodily harm, now placed in inclosed grounds and woods, from which so many accidents occurred. The act now in force went to make offenders more desperate, as had recently been seen in the case of some poachers taken in the North of England, who, when informed that the offence they had committed subjected them to the punishment of transportation, immediately exclaimed, "if they had known that, they would not have been taken so easily." This was the consequence of a law of such severity; those against whom it was directed thought they might as well take the chance of a desperate resistance. Under all the circumstances of the case, he hoped the House would suffer the bill to be now read a second time.

Sir C. Monck said, he had committed the persons just alluded to, and they certainly had appeared very much surprised when informed of the punishment which they might expect, and had declared that if they had known such was the penalty

they had incurred, they would not have been so easily taken. Under the present law, transportation did not necessarily follow on conviction. It was left in the breast of the magistrates to take this course, or to sentence the offender to imprisonment. He, however, would willingly consent to an alteration being made in the law, to define the different shades of offences, and the several degrees of punishment by which they were to be met, so as to leave as little as possible to the discretion of the magistrates. To repeal the present act would be to revive the Jodrell act. Of this he did not approve, and he had a great objection to the bill brought in by the hon. member for Kent. He thought a bill between the two might be beneficial, but as he wished the passing of the present bill to be at all events deferred, he should vote for the amendment.

Mr. Huskisson should vote for the postponement of the bill. He was unwilling that it should pass before the ensuing quarter sessions were over. The present law, if its application were looked at, would not be found cruel absurd, and unjust; and there were many laws which left the magistrates as much room for the exercise of their discretion, as could be claimed under that which was now made the subject of complaint. He had been surprised to hear it spoken of as an *ex post facto* law. Such a character did not belong to it. He considered it not a law for the preservation of game, but a police law; and, when the bill brought in by the member for Kent came again before the House, he thought it would be as well to leave out the word "game" altogether, and make the act against all who went out at night in armed bodies, with any unlawful object in view.

The House divided: For the second reading, 14; for the amendment, 30; majority, 16; the second reading of the bill was of course postponed.

HOUSE OF LORDS.

Monday, March 24.

SEDITIONS MEETINGS BILL.] The report of this bill was brought up. When the clause respecting Licenses to be granted to Lecture Rooms and Debating Societies was read,

The Earl of Lauderdale said, he thought the exceptions from the operation of this clause did not extend far enough, and that there could be no objection to include in

those exceptions lectures merely on physical science. He was the more anxious upon this point, because in Edinburgh, where the magistrates were the patrons of the university, they might be induced for the sake of promoting the interests of the university, to put down all private lectures, and it was well known that the students frequently derived more advantage from the latter, than from what they learned within the university. He wished to confine his amendment to the physical sciences, in order to obviate the objection that lectures upon morality, religion, and some other topics, might be liable to be abused. His lordship then moved a clause exempting from the operation of the licensing enactments lectures on anatomy, pharmacy, midwifery, astronomy, chemistry, or other branches of physical science.

The Earl of *Liverpool* opposed the clause, contending that it was not to be presumed that magistrates would from any private motives prevent the delivery of lectures, such as had been alluded to by the noble lord, and it would appear invidious to exempt physic or medicine in particular.

The Earl of *Lauderdale* observed, that the magistrates connected with the university of Oxford, uniformly prevented private lectures, and the same might be expected at Edinburgh.

Lord *Melville* stated, that the power to grant these licences extended to the sheriff and justices of the peace, as well as to the magistrates of Edinburgh. There was no ground, therefore, for the noble earl's alarm.

Lord *Grenville* said, that the powers of the magistrates, to whom the noble earl alluded, as being connected with the university of Oxford, were confided to them for the exclusive purpose of protecting the interests of the university; but it was otherwise with the magistrates of Edinburgh, whose duty it was to attend to the interests of the public, as well as those of the university.

The clause was negatived. On the clause respecting clubs or societies, the members of which were required to sign any test or declaration,

Lord *Holland* observed, that it was too extensive in its wording. There were many clubs or societies in this metropolis, in which the members were perhaps called upon to sign some declaration merely relating to the payment of a subscription, or

the drinking of certain toasts, or some other matter equally trifling, and this might be so construed as to subject them to all the inconveniences of this clause.

The Earl of *Liverpool* said, that the next clause enacted, that these tests or declarations might be approved of by two justices of the peace, but there was no intention whatever of subjecting to restrictions societies which were merely convivial, and had no political object in view.

Lord *Holland* observed, that the members of these societies might naturally feel repugnant to submit mere nonsense to the inspection of justices of the peace, and he saw no reason why they should be subjected to the inconvenience. Freemasons were excepted, and why should not other societies, equally harmless in their object, or at least what objection was there to introduce words that should obviate any inconvenience to clubs or societies merely convivial, and having no political object whatever in assembling?

Lord *Erskine* said, that this part of the bill was intended to be permanent, and therefore they should be more cautious as to what they enacted. Their object ought to be to impose as few restrictions as possible upon the people, because by imposing unnecessary restraints they might produce discontent, and excite a spirit of hostility in place of that love which persons bore to a country having the sacred character of freedom. There were other societies besides freemasons which might have, perhaps, tests equally solemn, but which were equally harmless.

The Earl of *Liverpool* said, there was no intention whatever of subjecting to inconvenience mere convivial societies, which might be productive of pleasure or advantage to individuals. But if any clubs or societies had any test or declaration, attended with any solemnity, it was but fair that they should be subjected to the superintendence in that respect of justices of the peace.

Lord *Erskine* observed, that there were the quizzes, the bucks, the odd fellows, and several other societies, whose object was equally harmless with that of the freemasons.

The Lord *Chancellor* said, as his learned friend seemed to be so well acquainted with these societies, he would perhaps employ a short time to-morrow morning in framing some amendment to meet the object in view.

The clause was then agreed to. An amendment, proposed by earl Grosvenor, to limit the duration of the bill to the 1st of July 1817, was negative. Lord Sidmouth then proposed a clause to prohibit public meetings within a mile of the two Houses of Parliament when sitting, or of the courts of justice when sitting at Westminster.

Lord *St. John* thought the clause highly objectionable, as tending to embarrass the right of holding public meetings, for the purpose of petitioning the throne or either House of Parliament, upon subjects of public interest.

The Earl of *Rosslyn* contended, that there was no reason why the inhabitants of Westminster should not have the exercise of a privilege, which was possessed by the inhabitants of every other part of London. He should have preferred that a clause of so much importance had been introduced into the bill at first, rather than now, towards the very close of any discussion upon it.

The Earl of *Liverpool* said, that the clause had originated in the suggestion of a noble earl on the other side of the House, upon a former evening. With respect to its principle, he did not think there could be any difference of opinion. Their lordships must be perfectly sensible of the indecorum of permitting meetings to be held within the purlieus of parliament, which from their nature, often led to scenes that never should be tolerated. It was certainly most desirable that the members of the two Houses should not be exposed to those gross outrages which had sometimes occurred, when coming down to parliament in the exercise of their public duty. With regard to the proposed distance of a mile, he did not apprehend that would throw any serious impediment in the way of lawfully assembling to petition either the throne or the legislature. A line must be drawn somewhere, and he was informed by a noble friend who was commonly accurate upon such matters, that a mile and a half would not extend further than the top of St. James's street. A mile therefore, would leave sufficient opportunities for the inhabitants of Westminster to meet whenever they might deem it necessary.

The Earl of *Lauderdale* said, he should like to know why the inhabitants of Westminster were to be alone excluded from a privilege which would be found to belong to the inhabitants of other parts of the

metropolis, who might hold their meeting where they thought proper?—[Lord Sidmouth here intimated across the table, that the clause did not specify the inhabitants of Westminster, by prohibiting all public meetings within a mile of Westminster hall.] The noble earl said, he was glad to hear that explanation, as it removed at least one objection which he had to the clause, but still he wished to be informed, if the inhabitants of Westminster were not permitted to meet within a mile of Westminster-hall, where they were to meet?

Lord *Grenville* said, the object of the clause was, not to prevent, in any manner, the people of Westminster from enjoying the fair and just exercise of their right to assemble, for purposes authorized by the constitution, but to put a stop to that practice, which, if he did not agree with the noble earl was an indecorum, he at least considered as an inconvenience, of holding meetings within the vicinity of parliament, which often led to conduct as affecting the members of both Houses, which ought to be repressed. With that view, and as they merely wished to protect the immediate avenues from interruption, perhaps if they were to substitute half a mile, for a mile, the end would be answered, as he understood Charing-cross was within that distance, and thus Whitehall and Parliament street, down to Westminster-hall, would be preserved from any obstruction. There would be time, before they were called upon finally to agree to the present clause to ascertain that point. He would also suggest a slight verbal alteration in the clause, making it applicable to wherever parliament or the courts of justice might sit, instead of Westminster-hall generally, as it was at the discretion of the Crown to call parliament together wherever it might judge proper, and also to order, at its own pleasure, the place for holding the courts of law.

Lord *Erskine* perfectly concurred in the propriety of prohibiting public meetings from being held near the Houses of Parliament during the sitting of parliament; but he did not see the same necessity with regard to the courts of law. He was not aware that any inconvenience could be sustained by them, in consequence of a meeting held in Palace-yard, while they were sitting; and it should be remembered, that the operation of the clause, by comprehending both cases, would go to prevent meetings during almost the whole of the year.

Lord *Ellenborough* said, it would be for their lordships to determine whether they would extend the same protection to the courts of law as to the Houses of Parliament. He merely wished to observe, that a case had occurred, during the time in which he had sat as chief justice of the court of King's-bench, where a tumultuous and disorderly meeting assembled in Westminster-hall, and he had found it necessary to suspend the proceedings of the court. Not that he himself felt any alarm, but he did not deem it right to sit there and administer the law of the land under such circumstances, and he waited till the sheriffs were sent for, and the mob was cleared out. He was aware that was a case of great rarity; but it had occurred, and having occurred, there was no reason why it might not happen again.

Lord *Erskine* observed, that the noble and learned lord had proved there was no necessity rather than that there was a necessity for the present clause. He had mentioned an instance, where a meeting was held in Westminster-hall during the sittings of the court of King's bench, and he had shown, that by sending for the sheriffs, a power already existed to remove any such inconvenience.

The clause was then agreed to, and the amendments being all gone through, the bill was ordered to be read a third time to-morrow.

HOUSE OF LORDS.

Tuesday, March 25.

SEDITIONS MEETINGS BILL.] The order of the day being read for the third reading of this Bill,

Lord *Erskine* said, that his objections to the principle of the bill in almost all its parts, lay within a very narrow compass, and he desired to preface them by admitting the whole of what had been so ably and eloquently said the other night by his noble and learned friend upon the woolsack, except in its application to support the measure now under consideration. He agreed with him that there might be times and seasons in which it would not only be wise and expedient, but indispensably necessary to suspend the strongest provisions of the law for the protection of public liberty, and he would go farther and say, that the more excellent the constitution to be protected (and none could be more excellent than our own) the greater sacrifices ought to be made, and willingly submitted to by the people, to se-

cure it from the danger of subversion. The first question, therefore, for decision was, what evidence the House had before it of impending dangers, to justify the passing an act of the description now before them, supposing its provisions to be well framed to avert them? and 2dly, whether, admitting all the facts collected by the report, though standing upon *ex parte* evidence, without any knowledge in the House at large of the sources from which they proceeded, the bill was either necessary or a proper remedy?

As to the first, he regretted that the real state of the country at large had not been examined by the whole House, instead of by so very select a committee. Equal secrecy might have been preserved, and there was not now the same objection to publicity as in the year 1795, when nevertheless the whole evidence was made public. At that time it was improper in the extreme, because several persons were then in custody for high treason, whose trials were immediately to be had upon the very charges authenticated by the report; whereas no individuals could at all have been implicated or affected at present, if the whole case had been openly and impartially sifted at the bar of the House, and even then it need not have been made public.—If that course had been pursued, he should have known precisely the grounds on which he was to act on a subject of such vital importance. He reposed the greatest trust in the honour of the committee, yet he could not be satisfied with *ex parte* evidence, without even knowing what it was, but only the general results. The committees of both Houses in 1795 were equally composed of men of honour and capacity, yet all their conclusions from the evidence before them, was falsified upon the trials which followed. The act, like the one now before them, gave them the power to arrest at their pleasure, and to postpone the trials till the period of full preparation; yet they could justify the arrest of but very few, and not one whom they arrested was convicted. Of all men living, therefore, he thought he had a right to pause from the experience of that period, so very different from the present, and so comparatively alarming.

In 1795 his majesty's message informed the House, that he had detected a formed and widely extended conspiracy to subvert the government by holding a convention to assume all the functions of parlia-

ment,—that he had arrested the conspirators, and seized their papers, which would establish their treason. Upon the present occasion, would any man assert upon the face of the report, even if it could receive no answer, that such a case existed? Had any discovery been made like that of 1795? Or had any such communication in the king's message been made to the House? So far from it, that only a few days ago, not even a hint was given in the speech from the throne of any danger to the state; nor did any thing exist out of doors to justify even the suspicion of any disorders demanding the interference of parliament.

Nothing certainly could be more atrocious than the traitorous attack upon the person of the Prince Regent, but it was impossible even to imagine a case so little calling for the aid of any new law. The treason might have been the act of some lunatic or solitary miscreant, but which he admitted might have been suggested and concealed by the disorderly multitudes too long suffered to surround the first magistrate when exercising the highest functions of the government. He did not mean this as any censure of the noble secretary of state, who had prepared, he had heard, even 700 constables to be present, but to lament, as an abuse of very long standing, that persons who ought immediately to be secured and punished by the existing laws, had long been suffered with the most perfect impunity to revile the members of both Houses of Parliament, as ignorance or malice happened to dictate, and even the king himself when going down to assemble the states of the kingdom. This was a great evil in itself, and produced many others, being he was well convinced, connected at least in principle, with other riotous proceedings, which must have been made the foundations of the bill before them, though the laws were so notoriously competent to suppress them. The meeting at Spa-fields, whatever might have been the intentions of those who assembled it, became very soon of that description; and no body surely could be heard to say that it might not have been immediately dispersed by the magistrates, whose duty it was to be present. It was not at all necessary that there should be acts of violence, to justify the putting the riot act in force; it was enough if, in the judgment of the magistrate, it was dangerously tumultuous; or if it had even an obvious tendency to ordi-

nary riot, which the law placed in his judgment also, he had powers already which the bill before them did not propose to add to, and which no possible law could strengthen. The riot act seemed scarcely indeed to be consistent with a free constitution. It was passed in an unsettled state of the government, at least in well justified apprehension; but it had continued permanent in the best of times, because parliament and the courts of justice were always at hand to correct any abuses of it; and it was a great instrument of safety, not only in times of public danger, but to protect even the multitude themselves from the consequences of disorders into which they may be innocently and inadvertently led, by designing and mischievous men. All such evils the existing laws were also sufficiently extensive to reach, and strong enough to punish. The existence, therefore, of the riot act was in itself an unanswerable objection to the present bill; because it provided for the exercise of every power which ought to be left to the discretion of the magistrate; and to extend it farther appeared to him to be a violation of every principle of a free government.

Whether a riot or tumult existed were mere matters of fact which no magistrate could mistake, but the sentiments and opinions of persons peaceably assembled, and upon subjects which the fundamental laws of the realm entitled them to consider, were not matters upon which any man ought to be permitted to act on his own single judgment. Yet he would show the House, by referring distinctly to the provisions of the bill, that the right of petitioning the Crown or parliament, so solemnly enacted and secured by the bill of rights, could not be exercised if any one magistrate appointed by the Crown refused to give his consent. The framers of the bill seemed to have been so sensible of the indefeasible privilege of the people to communicate their feelings and sense of grievances to one another, that it prescribed the restrictions under which it was for a season to be exercised; enacting the previous notice of seven householders, as particulars directed in it.—When these forms were observed, there was then, even by the consent of parliament, a legal meeting to consider every subject of government, as much as if no other law since the bill of rights had ever been passed or thought of—yet,

what followed? Their meeting, so legalized, could not continue a moment to consider of a petition for the reform of parliament, by the communication of opinions concerning its defects, if any one magistrate dissented from the expression of them. Lord Erskine here said, that he would not extend his objections farther than was absolutely necessary for the protection of public liberty, and the security of the people. A single justice might apprehend any person who uttered expressions bringing into contempt the person of the king. He should make no remark on that, because there was no dangerous latitude given by it, since to hold language disrespectful to the first magistrate of the state, could never be useful for the support of freedom, and because the real mind and feeling of the speaker could hardly be mistaken. In the same manner, there was a power of arrest given, if it should be propounded in any notice to hold a meeting, or at any meeting when assembled, that the laws might be altered without the consent of parliament; (no such thing by-the-by, ever having been propounded, nor ever would if the bill before them were thrust into the fire).—Yet he saw no objection in such a case to the judgment of the magistrate, as it involved no dangerous discretion, and as, in both these cases, he might be punished for a malicious abuse of his trust; but when the provisions of the bill extended to authorize even one magistrate to apprehend any person upon his own judgment and opinion of any matter uttered, which had even a tendency to bring into contempt the parliament, or any branch of the constitution, it was manifest that the reform of parliament could not be agitated in the most cautious and justifiable terms without the permission of a single justice of the peace.

Let me here, said lord Erskine, only put this case—suppose a person, at a meeting duly authorized to assemble by the very bill before you, if you pass it, should say honourably, and with the most public-spirited intention,—“My objection to the House of Commons is not at all to the persons who at present compose it, nor to any distrust I have in their disposition to serve the public; but to the formation of the House itself, which was intended to be a balance in the government against the powers given by the constitution to the King and the Lords; but how can that in common sense be considered to be a ba-

lance against these two powers, if they themselves elect the majority of those who are to balance them? Is it possible, my friends, in common sense, to say that the principles of our government are preserved whilst such an abuse continues, or that any House of Commons so constituted, can fulfil the functions of representatives of the people.” Now, my lords, is not such language legal? Will any man venture to deny it? Yet does it not bring into contempt within the principles of your law, the Commons House of Parliament? For what can be a higher contempt of private men or public magistrates than to say they are unfit for their functions? Let me suppose, then, that some justice, thinking it dangerous to reform parliament interrupted such a speaker, and arrested him, and that any one or any number of peaceable persons present should surround him and say, “Pray, sir, hear this gentleman out,—let him finish what he has to say,—do not be so hasty in arresting him,” this conduct though, with the purest intention, would, under this law, be “letting and hindering” this single magistrate in the execution of his duty, and would be felony without benefit of clergy.

Lord Erskine said, that the case he had put not only might happen, but certainly must happen, if magistrates were to act up to the provisions of the bill; and what was behind was still more objectionable, inasmuch as such discourse of any one man, though justified and supported by no other person present, put it in the power of the magistrate to dissolve the whole meeting, though composed of thousands of the most peaceable subjects, the obnoxious, orator after all, having been hired on purpose to bring about their dispersion. Lord Erskine therefore said, he had no doubt that the real object of the whole bill was, to discourage and discountenance the reform of parliament, wherever, or however considered; as it was utterly impossible to discuss any imperfections in the representation of the House of Commons without offending against the law, if any one magistrate, however, mischievously or foolishly, was determined to put it in force.

He had a great respect for the magistracies of the country, which was under the highest obligation to the gentlemen who took upon them its painful and laborious duties; but it should be remembered, that the powers he had objected to, were not given to the highest of the judges, nor

to all of them together. His noble and learned friend who presided with such truly great ability, and with so much usefulness in the highest court of law, could not take upon himself to decide what was, or what was not "a bringing into contempt the constitution of the kingdom." He could only deliver his opinion to the ordinary classes of our people, composing a jury of the country, although the matters to be judged of, were the deliberate acts of the mind in written and published compositions; how much the less fit, then, was it in a manner to repeal the libel act, and to stigmatize its principle by giving a power to the lowest magistrates, to judge of the quality of the most unpremeditated discourses? He could hardly, indeed, persuade himself that he was speaking to the same assembly which had sanctioned that wisest of our laws. Lord Erskine said, that though, what he had already stated seemed to admit of no aggravation, it ought not to be forgotten, that the further power given to one justice was of the most preposterous description. If his noble and learned friend at the head of the King's-bench (to continue the analogy) were to give the most enlightened opinion in the case of a libel, a contrary opinion in his brethren on the bench would annul it; but here any wrong headed justice the very reverse of the noble chief justice he had alluded to, might arrest the most innocent person for sedition, and dissolve the most peaceable assembly, though any number of magistrates present at the very same meeting, might be of opinion, and even express it, that there was no foundation for doing either.

The next matter to be considered was, whether the provisions of the bill, even if they could be reconciled with the principles of a free government, were any thing like a remedy for the evils pointed at in the report, supposing them all to exist? For his own part, he was convinced that they would tend to increase them, because, when public meetings subjected men to the danger of interruption and punishment, it would drive them into secret conspiracies, where the law might not reach them, until neither law nor power could suppress them. To speak plainly, he considered that such a principle of restraint and terror, in the administration of any government, instead of a liberal trust in the affections of the people, from the benefits resulting from freedom, was sure to engender sedition,

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and had generally ended in revolution. He had always thought so—it had been the feeling that had governed all his conduct from his first coming into parliament, and must ever continue to direct it. If this bill passed, the people seemed to be hunted out of all their liberties. Out of doors the magistrate might disperse them—within doors a licence might be refused! He considered this to be a manifest system of terror, instead of a government of affection and freedom. Mr. Burke, in his letter to the sheriffs of Bristol on the affairs of America, placed this important subject in the strictest point of view. It had not passed through his mind for very many years, but it must ever continue there:—"Liberty is in danger of being made unpopular to Englishmen. Contending for an imaginary power, we begin to acquire the spirit of domination, and to lose the relish of honest equality. The principles of our forefathers become suspected to us, because we see them animating the opposition of our children. The faults which grow out of the luxuriance of freedom, appear more shocking to us, than the base vices which are generated from the rankness of servitude. We are taught to believe, that a desire of domineering over our countrymen, is the love of our country; and that the amiable conciliating virtue of lenity, moderation, and tenderness for the privileges of the people, is a kind of treason against the state."—But this genuine principle of British government was still more strikingly illustrated in his speech for conciliation with America—an oration which would go down to the latest times, rivaling, if not eclipsing, the most celebrated in the ancient world. It seemed, indeed, as if the gift of tongues had been conferred upon him, when he was preaching doctrines which, next to those of religion, were essential to the happiness of mankind.—"As long" (said Mr. Burke) "as you have the wisdom to keep the sovereign authority of this country as the sanctuary of liberty, the sacred temple, consecrated to our common faith, wherever the chosen race and sons of England worship freedom, they will turn their faces towards you. The more they multiply, the more friends you will have; the more ardently they love liberty, the more perfect will be their obedience. Slavery they can have any where. It is a weed that grows in every soil. They may have it from Spain, they may have it from Prussia; but until you

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become lost to all feeling of your true interest and your natural dignity, freedom they can have from none but you. This is the commodity of price, of which you have the monopoly. This is the true act of navigation, which binds to you the commerce of the colonies, and through them secures to you the wealth of the world. Deny them this participation of freedom, and you break that sole bond, which originally made, and must still preserve, the unity of the empire. Do not entertain so weak an imagination, as that your registers and your bonds, your affidavits and your sufferances, your cockets and your clearances, are what form the great securities of your commerce. Do not dream that your letters of office, and your instructions, and your suspending clauses, are the things that hold together the great texture of this mysterious whole. These things do not make your government. Dead instruments, passive tools as they are, it is the spirit of the English communion that gives all the life and efficacy to them. It is the spirit of the English constitution which, infused through the mighty mass, pervades, feeds, unites, invigorates, vivifies, every part of the empire, even down to the minutest member.*

Here, my lords (concluded lord Erskine), here you have the whole sum and substance of British liberty, which you are now about to violate. It is, indeed, my lords, the very nature of every thing that is free to be irregular, and to fall, now and then, into disorder and excess; and you must submit to the occasional abuses, or abandon the advantages which flow from the energies of freedom. God has so also framed the natural elements of the world; and whilst we owe our very existence to their vital influences, we are obliged to enjoy them with the alloys that the laws of nature have imposed. In the finest seasons, which are the sources of health and plenty, we suffer often from the storms and tempests which deform them; but if the authors of this bill had the government of them, they would no doubt set about a reformation upon their own system, and the elements of fire, water, and air, would no longer have their immemorial liberties, but would be put under such politic restraints, as we are now about to lay upon the civil world.—To *Fire* they would say—"You are an

excellent servant, most beneficial when under due discipline and control, but most dangerous when left unrestrained. You may therefore continue to blaze in our kitchens and in our chambers, but you shall no longer descend from heaven with electric flashes; destroying our persons and property, and striking even the spires of our churches with sacrilegious violence, whilst we are worshipping God."—To *Water* they would say—"We are delighted with your smooth surface upon our calm transparent lakes, and with your rippings in our summer streams, but you must no longer come down from the hills in winter torrents, sweeping away our flocks and their masters."—To *Air* they would say—"Be free as air; it is even a proverb, and we will support it; continue therefore to be free as air, at least in our improved sense of freedom. You may blow therefore in breezes from all points of the compass, but you must no more gather in masses; and for farther security against storms and tempests, not more than fifty clouds shall in future come together, without an order from seven farmers or graziers; and if you shall presume to blight our fruit-trees or destroy our harvests, you shall be driven back to your caverns by a single justice of the peace."

There can be no doubt, my lords (no doubt at all), that if his majesty's ministers possessed those powers, and were so to use them, the elements would become totally different. We should have no more ruinous conflagrations; no more floods and inundations; no more hurricanes or tornados, but we should soon see the melancholy contrast between divine wisdom and human weakness. The atmosphere unshaken by the lightning and the thunder, and untouched by the pervading spirit of electric heat, would become deleterious: your waters would be mantled over with a putrid vegetation, and with the air would stagnate into pestilence. Freedom therefore is the universal principle of natural and civil life.—Parliament had carried this principle even to excess, when the most palpable nuisances were sought to be abated by legal provisions. Parliament then supported his late respected friend, Mr. Windham, when he upheld the atrocious enormities of bull-baiting, and other cruel sports and practices, because they were connected with, and as he thought inseparable from, the free and manly character of our people. This ought *à fortiori* to be the rule now, when no-

* See New Parl. History, Vol. 18, p. 534.

thing immoral was to be corrected, but excesses which the laws could already reach. It should surely be remembered how much we owe to the magnanimity and courage of the whole nation during so protracted a war; and still more if possible to their unexampled patience, under the privations which they endure.—All I have said, my lords, rests upon the general principle I have stated. I am decidedly adverse to those reforms which occasion so much alarm to government; so much so, that I should not be disposed at this moment to advance so far in any system of changes as that to which I formerly set my hand. I feel exactly in that respect as I understand was expressed by a noble friend now absent, whose motion I seconded in the House of Commons; but the great question of reformation is left untouched. It is a most important consideration, and the right to consider it ought never to be abandoned. The bill, in my opinion, is aimed against it, and nothing can induce me to support it.

The *Lord Chancellor* expressed his satisfaction to hear from his noble friend, that he did not now entertain opinions on certain points in which they differed, to the same extent in which he formerly held them. He (the lord chancellor) had throughout his political life held opinions directly opposed to that reform, and in so doing, had by some been considered to be in error. He felt much satisfaction, therefore, at finding that his noble and learned friend, for whose talents and abilities he had the highest respect, was approximating to him. He was satisfied of this, that if his noble and learned friend did not approximate to him, that he (the lord chancellor) should not be induced to give up those opinions against parliamentary reform which he firmly and conscientiously believed to be right. He should be happy if he and his noble friend could approximate a little more; but with respect to this bill, unless his noble friend approximated to him, it was not likely that he should approximate to his noble and learned friend. On the preceding night, in the committee on this bill, a noble lord had moved an amendment with respect to lectures on the physical sciences. He supposed it was to this they were indebted for the learned dissertation they had heard upon fire, water, and air. His noble and learned friend had made some alarming observations on the effects of those elements, and spoke of controlling them as if

they had been living within the jurisdiction of this country as British subjects, and liable to be regulated by acts of parliament. As a member of their lordships' House, he wished they were subject to their jurisdiction; for there was a fire in the House, which, whether it operated on the constitution of the country or not, certainly often operated on his constitution, and that of others, in no very favourable way; and if they could restrain the mischievous effects of that fire by any clause in an act of parliament, their lordships would do a great deal of good to themselves. So with respect to air, it was a great misfortune that it was not a British subject within their lordships' jurisdiction; for then out of regard to a most respectable friend of his now present, the clerk at the table, who found himself so ill at ease when the windows were open, he was sure their lordships would be very glad to put air under some regulation, and to leave no parliamentary means untried of shutting out the intruder. As to water, he believed neither their lordships in general, nor his noble and learned friend in particular, had much to do with it. But he really could not believe that his noble and learned friend was very serious in his opposition to the bill, when he considered that so great a portion of his speech was made up of long quotations from the philosophical theories of Mr. Burke, and these observations about fire, air, and water. If in the measures now adopting, and in the vote which he certainly intended to give in favour of the third reading of this bill, he thought that he was forgetting the principle, that the liberty of the subject ought, in its utmost constitutional extent, to be secured; if he were convinced that he was acting so as to endanger those laws which, from long practical experience, he knew to be much more beneficial to the subjects of this country than the laws of any other state were to its subjects, then he should never, after the vote of this night, enjoy a moment's comfort while he lived; for he admitted, in its fullest extent, the truth of the proposition, that it was their lordships most sacred duty never to suspend those laws which were enacted to secure the subject's liberty, except in cases of urgent necessity. But why should they quarrel, because their views were different as to the means by which the same object was to be effected? His noble and learned friend acted for the

benefit of those well-disposed subjects of the British empire who really wished to enjoy that liberty which the laws and constitution of their country secured to them. That was his (the lord chancellor's) object too; and for that purpose he now interfered, to check the machinations of those individuals, whose design was not to enjoy, but to subvert, the laws, the constitution, and the liberties, of their country. The question, therefore, was a question rather of fact than of principle. He thought this bill and the measures which had been passed, essential to the preservation of the constitution, not because he merely wished to preserve the constitution for a week or a month, or a year, but because he was desirous of maintaining the constitution such as it had been transmitted to us by our ancestors, and handing it down unimpaired to our posterity. This was the great principle, as he understood the subject, upon which their ancestors had acted for their benefit; and this was the principle upon which they ought now to act for the benefit of their posterity. The great principle of the English constitution, if he understood the constitution at all, was, that it preserved to every one the enjoyment of as much practical liberty as could be possessed. But he would go farther, and say, when dangers arose which threatened its safety, that unless it were endued with the power of looking those dangers steadily in the face, and grappling with them, it was formed in a manner that must ultimately tend to its own destruction. It must have the fortitude to suspend liberty for a time, that liberty might be enjoyed for ever. That was the principle upon which the suspension of the Habeas Corpus act had always proceeded, and that was the principle upon which the present temporary measures proceeded. The whole question their lordships had to consider resolved into the state of the times. What noble lords had to ask themselves was, whether, looking at the circumstances of the country, there was not ground of necessity for the measures which had been submitted to parliament in order to preserve the liberties of the people? He believed there was; others might entertain a contrary opinion; and God forbid that he should quarrel with them for so doing. It had been asserted, that the laws of the country, as they at present stood, were sufficient, if duly executed, for preserving public order and tranquillity. Whether

the laws had been sufficiently executed, or not, he should not say; he had not had the opportunity of determining that question in every respect; but he had only to cast his eyes abroad, and see mischiefs threatening, evil designs at work, and disaffection active, sufficient to call for additional means of protection. With regard to that department of the laws with which he was best acquainted, he felt himself in a situation to question the sufficiency of the law. He had, on a former occasion, expressed an opinion to their lordships, that since the passing of the libel act, prosecutions were not likely to be more effectual than they had been before that period; and it was of importance to recollect how much that consideration influenced a question like the present. But he felt, perhaps, a little prejudice upon the subject of libels, from a cause which he would state to their lordships. When he became attorney-general in 1794, his predecessor handed over to him many prosecutions that had been begun, and which he was left to carry on. He did so; and he not only proceeded in those that were commenced, but instituted many fresh ones. No one, he believed, had ever instituted so many prosecutions for libels. He was speaking of the years 1794 and 1795. But when he saw that attempts were made to destroy all the constituted authorities of the land, to bring into contempt and disgrace every thing connected with our most sacred rights and liberties, to overturn, in fact, the whole fabric of the constitution, he felt that the danger was utterly beyond the reach of such proceedings. Yet no one, he apprehended, would say, that he was sparing of the exercise of the power he then possessed; he should be glad to hear some kind-hearted individual maintain that proposition, for never, he believed, was any one more abused than himself, at that period, for the prosecutions which he instituted. Personal abuse, however, he never heeded, when levelled against him for the discharge of what he considered to be his duty. He had never, in the course of his life, sought either to promote or repress the circulation of any publication concerning himself; he cared not two-pence for one of them; but libels that affected the constitution and the government, were of a different description, and he should be glad to be shown, how, at a time like the present, the most active prosecution of them could counteract the evils that menaced

the state. In 1794, as at the present moment, it was found that the existing law had become quite inefficient, and the legislature was obliged to interfere. What was then to be done, but to resort to new enactments; for the existing law was no more capable of restraining the spirit of libel, than of controlling the fire, air, and water of which the noble lord had spoken. But it was said the people ought to be conciliated. Generally speaking that doctrine was good; but how were they to conciliate those who asked for nothing less than the destruction of the constitution? How were persons to be conciliated who declared they would not be satisfied unless they obtained what it was the duty of parliament not to give. With regard to some observations which had been made on the provisions of the bill, his noble and learned friend was wrong in supposing that a meeting became legal in consequence of a notice having been given: for though the bill declared that a meeting should not be legal without notice, it did not follow that it should be legal with it. His noble and learned friend also thought it extremely improbable, that any thing, as by law established, should be proposed to be altered at a public meeting, otherwise than by the authority of King, Lords, and Commons. He should wish to ask his noble and learned friend, whether he recollected to have heard of a proposition made at a public meeting to resort to physical force, and whether that was not appealing to other authority than that of King, Lords, and Commons? If he did admit that there had been meetings at which propositions having that tendency had been made, he could not consider provisions guarding against such proceedings as unnecessary. There was surely nothing improper in enacting, that a magistrate might interfere on such sentiments being publicly avowed. It would be the duty of any magistrate at a meeting, to say to the individual who uttered words of such a tendency, that he was holding language he was not entitled to hold. A common constable might do this as the law now stood. He knew that it had been observed, that, as the same authority existed now, there was no occasion for this enactment; but the difference was, that the bill supposed a magistrate present at every meeting legally called, which was not the case under the existing law. If the meeting should resist the magistrate in executing the law according to his sense of duty,

then, indeed, the consequences would follow which his noble friend had described; but these consequences were not the fault of the magistrate, but of the meeting which so resisted. Besides, the magistrate acted upon his responsibility, and was liable to an action at law, if he unjustly exercised his authority. Their lordships must, therefore, in considering every point, always come back to this question—whether the state of the times were such as to require the measures recommended for adoption by his majesty's government? In deciding this question, they must have regard to other circumstances than the order and decorum, which might be attributed to certain meetings. He was old enough to recollect the dreadful riots of 1780; and if he were asked, what was the most orderly public meeting he ever saw in his life, he should answer, that which assembled to meet lord George Gordon. Nothing could have been more regular and orderly than that meeting was in the morning; and yet its consequences were in the evening, to set London in flames. If their lordships thought it better to punish than to prevent mischief, their opposition to this bill would be founded on a rational principle. For his part, he thought it wiser to look to prevention, rather than to punishment, as a remedy for the evil of which the country had to complain; and on that ground, and on the necessity of the case, arising from what he conceived to be the state of the times, he gave his support to the bill.

Lord *St. John* readily admitted that the learned lord had placed the inducement for passing this bill upon the only true ground—the necessity of the measure; and the only question was, whether or not that necessity was made out? Undoubtedly, to preserve the constitution was the first duty of parliament; to see that the laws were duly executed, the second. If any measure like this bill was necessary, it must be adopted, with however much regret they might acknowledge it to be called for; but what necessity enjoined, necessity also limited; and if necessity were admitted, it was still to be asked, whether this was the measure required. The reports on their lordships' table stated, that some law was necessary; but taking that for granted, it by no means followed, that any law which might be proposed by his majesty's ministers must of course be necessary. Unfortunate as the present situation of the country might be, it was not

more so than on former occasions, when measures of this kind had been resorted to; and yet it was impossible to find any precedent which warranted the proceedings now adopted. In 1722, the Habeas Corpus act had been suspended, but not upon the report of a secret committee. There was, on that occasion, no green bag sealed up. The papers were laid on the table in an open box, to which every member had access. The papers were referred to a committee, of which Mr. Pulteney was chairman, and every kind of evidence was admitted before that committee, as was evident from the report, which might be found upon the journals of their lordships House.* In that report the most minute particulars were detailed. The measures of sir R. Walpole, also, the minister, were very different from what had been pursued by the present ministers. Sir Robert Walpole, when he recommended the suspension of the Habeas Corpus act to parliament, did not confine himself to that measure alone. He did not fold his arms in calm and social indifference, and allow the evil to grow and proceed unchecked, to an alarming magnitude, before he called for the interference of parliament. It was known that it was on the distress of the country, occasioned by the failure of the South-sea scheme, that the Pretender built his hopes. It was the discontent excited throughout the nation by the total failure of that bubble, which emboldened him to meditate this enterprise. He conceived it would be a fit opportunity, when the people were inflamed with losses and disappointments, to attempt the organization of a plot, which might enable him to resume the crown of his ancestors. Sir Robert Walpole, however, was attentive to all those circumstances, and endeavoured to mitigate the distresses, as well as to allay the discontents, which existed. Before he proposed to suspend the constitution, he exerted every effort to remove the distress of the country. What, therefore, appeared to him particularly blameable in the conduct of his majesty's ministers was, their not following the example of that great statesman. They had not called parliament together in due time for considering the situation of the country; and the reason they gave for this neglect was most insufficient. They had stated that they thought the presence of members of either House would be more useful in their respective

neighbourhoods in the country. He certainly did not mean to deny the great utility of the residence of members of parliament in the country, at a period when they had so many opportunities of administering relief to those who stood in need of it around them; and, by the influence of their presence, their hospitality, and their exertions, preventing the diffusion of discontent. But whatever benefit could be obtained in that way, was not to be compared to the advantage which was to be expected from legislative measures, and to which their attention ought without delay to have been directed. Ministers were not ignorant of the causes of the present distress, while they admitted that distress to have greatly promoted those evils which the bill then before them was intended to remedy. They knew that the agricultural, the commercial, and the manufacturing interests were greatly depressed; they knew that there were serious defalcations in the revenue. It had, as he understood, been said in another place, by a person who, from his situation, might be considered as having the best means of knowing the situation of the trade of the country, that the whole of our commercial system was founded on erroneous principles; but while he admitted this, he also stated, that ministers did not find themselves strong enough to attempt to alter the existing system, much as they were convinced it was wrong. Now, as the argument was, that disaffected persons availed themselves of the public distress to promote their mischievous designs, why had no legislative measures been proposed for the relief of that distress? It would have been a better course had ministers proposed to remove the cause of commercial suffering by the repeal of that system of restriction in which it originated. If all the measures that parliament could devise for this object should prove incompetent, then indeed it would have been time to resort to the suspension of the constitution, and to severe laws like that under consideration: but that of which he particularly complained was, that such measures should have been adopted before any attempt was made to remove the evil which this course of severity was meant to correct. With regard to the provisions of the bill, he must assert, that they went far beyond the necessity which had been pleaded for them. Such was their severity, that he was persuaded many magistrates would hesitate to put into execution

* See New Parl. History v. 8 p. 95.

a law attended with such penal consequences. Nothing could be more revolting than to see such extraordinary powers vested in the hands of one magistrate under this bill, when the authority of two was requisite to pass a pauper from one parish to another, and even then there was an appeal to the quarter sessions, and from thence to the court of King's-bench; but here a single magistrate was invested with an authority which might eventually involve the life of its object. In the same manner the exempting power was vested in two magistrates, but in order to inflict the punishment of death one was thought sufficient. Indeed, the whole of the provisions, as far as he could understand, were contrary to the spirit of our ancient laws. It would have been acting with more humanity if ministers had at once proposed to make the offences punishable by this bill treason; for then the parties would have the legal benefits which the law in the case of treason allowed for the defence. If, in plain and unequivocal language, it had been declared, that to say any thing at a public meeting tending to bring into contempt the constitution and government as by law established, should be regarded as high treason, great mercy would have been shown to those persons whose language might, as unfortunately as perhaps undesignedly on their part, be considered liable to that construction. For these reasons, he felt it to be his duty to express his decided disapprobation, not only of the present measure (for it was impossible to consider it singly), but of all those of which it formed a part.

The Earl of *Westmoreland* could not, after what had fallen from the noble and learned lord who commenced the debate, and the noble lord who spoke last, give a silent vote on this question. To express the ground on which he should vote for the third reading of the bill, he had to declare, that he gave his consent to the measure, not for the purpose of punishing those who had been guilty, but with the view of protecting the lives and property of his Majesty's subjects, and for the preservation of those liberties, which would be best secured by the denial, for a time, of their enjoyment. The noble lords had assumed, that there was not sufficient danger to call for precautions; but that was a question which parliament, he conceived, had already decided in the affirmative, and was not now to be argued. The practice of former periods of our history,

showed that parliament had always been willing to grant such powers, when great dangers existed, and as a proof that they were seldom abused or overstrained, they had seldom been followed by a bill of indemnity. When, however, such a bill of indemnity had been deemed necessary, parliament as willingly granted that as they had granted the power whose exercise such a bill was intended to protect. With respect to precedents, he thought they were entirely out of the question; they had only to consider whether a sufficient danger now existed, and that he apprehended would not be denied. Since this country had obtained the full confirmation of its liberties, similar measures had been adopted about twenty or thirty times; and, on every occasion, the constitution, instead of being injured, came out from the trial unimpaired. Whether the suspension of the Habeas Corpus was necessary in peace, depended on the state of the country. In fact, there might be more danger in a time of peace, than in a time of war; for in the latter, the Crown had a large army which it could always employ against the disturbers of public tranquillity; but in the former, a constitutional jealousy as well as a due regard to the finances of the country, prevented the Crown from possessing such a force, and therefore it was the more necessary to arm it with additional powers of a different description. The exigency of the present moment was most fully established, and he hardly envied the placid minds of the noble lords opposite, who saw nothing to fear, though surrounded with treasons, murders, conflagrations, and rebellion. What crime did there seem wanting in the catalogue of the enormities which had been committed? But they all, according to the noble lord opposite, originated in distress. It was not for him at that moment to discuss the real causes of the public distress; but no matter whence it originated, it was certain that the extent of the distress was but an additional reason for reposing an increased power in the hands of government to secure the general tranquillity. But what proportion did this distress bear to what would befall the country if those wretched conspirators succeeded in their plans? It was frightful to contemplate the dreadful results of such an event; and it was merely in the legislature to prevent, by law, the consequences of such crimes and follies. The reports of the commit-

tees of both Houses proved, that most dangerous plots and conspiracies existed, and he had no hesitation in saying, that the danger now was as great as in the years 1796 and 1797. If therefore, it was thought necessary, to adopt measures similar to the present at that period, it was equally necessary in his opinion, to adopt them now. Nor could he agree with those who considered the proposed measure, as impeding the exercise of any just right which belonged to the people. He would go a little into the details of the bill, to see whether it was so formidable to the liberties of the subject as it had been represented to be. The first thing in this terrible bill which was to stop the mouths of the people of England, and to prevent them from communicating with their representatives, was, to except altogether, all meetings called in a legal manner—as by the sheriffs, mayor, aldermen, and others. So that the whole people of England might, notwithstanding this bill, meet to petition parliament. The next provision was, to permit meetings called by seven householders. He would put it to the sense of the House, whether it were beneficial to the constitution, that meetings should be held, of which the magistrates had no notice,—meetings composed entirely of the mob, the only result of which could be, to oblige the government to call out the military for the preservation of the public peace. It was next enacted that it was illegal to assert at the meetings, that laws could be altered or enacted except with the consent of King, Lords; and Commons. Was this to prevent the people from communicating with their representatives? The rest of the bill provided against secret clubs holding treasonable correspondence one with another. Had they not felt the consequences of such associations and the dire necessity of some measures to suppress them? Then as to the powers entrusted by the bill to justices of peace: this had been said to have been without precedent. If our history were looked into more carefully the assertion would be found to be not correct. Laws for the prevention of seditious meetings had passed in the reigns of Henry 4th, Henry, 5th, Henry 7th, Edward 4th, Edward 6th, Mary and Charles 2d, and in almost every case were the powers entrusted to one justice. The present bill was, indeed, almost a copy of those old laws. There were hardly any reigns but those of James 1st and Charles

1st, in which some such measure had not passed, and the misfortunes of the latter reign were, perhaps, to be attributed to the absence of some such measure. He considered the bill a measure of the greatest leniency and benefit to the subject. On what was the attachment to the constitution felt by the people of the realm founded, but on the security of their persons and property, which unless this bill passed, would continue exposed to daily insult and outrage. He was as much disposed to humanity, as the noble lords who had opposed the bill, but the current of his feelings was in a different direction; for however sorry he was for those who had fallen under the penalty of the law, he was more sorry for those who had been the victims, whose persons had been assailed, and whose property had been plundered—he felt more for Mr. Platt, who was now suffering from his wound, than for incendiaries and traitors, however their crimes were palliated. He should therefore, as the same measures now proposed were found effectual in putting an end to outrage in 1796, vote for the bill as a bill for the protection of the king's loyal subjects.

Earl Grosvenor said, he had intended to enter at some length into the measure before their lordships, but he should abstain now from doing so, as well because he felt himself at present unequal to the task, as because he feared that, before the conclusion of the session, he should have other opportunities of discussing the present bill, or the system of measures with which it was connected. It had been truly said, that the bills which had been brought before parliament of late should not be viewed singly; they were indeed but too closely connected. He feared, therefore, that their attention would again be called to this system of measures before the end of the session, by a proposal to extend the period of the suspension of the Habeas Corpus. Such was the rumour, and it proceeded from a person holding a high situation in his majesty's councils. If such a proposal were made, which he should much lament, at whatever distance he might be from the capital, he should feel it his duty to attend in his place to oppose the progress of the measure, unless a very great alteration took place on those points which had been considered a sufficient reason for the present suspension. There were, he remarked, some differences of opinion among the supporters of the

bill. The noble and learned lord on the woolsack had allowed that it was a measure justified solely by its necessity. The noble earl who spoke last, after contending that precedents were to be found for it in a suite of arbitrary reigns, and ascribing the events in that of Charles the first to his not pursuing a similar line of policy, had placed the defence of it on the principle of convenience. The noble lord had also said that he considered the bill as a measure of leniency—the noble and learned lord on the woolsack considered it a measure of severity. He must object to the allegation in the preamble; no such words were introduced into that of 1796, which declared, that “acts of tumult, riot, and disorder,” had been produced at meetings assembled under the pretext of petitioning for a redress of grievances. The noble earl had said there was no difference between the danger at present and that which existed in 1796. If his lordship saw no such difference, it was matter of great astonishment to him. He had acquiesced in the measures for strengthening the hands of government at that time; but how different was our situation from what it now was. We were then engaged in a war almost *ad internecionem* with the French republic,—whether justly commenced or not, it was now matter for history to determine. It was then proved to their lordships that a connexion existed between some persons in this country and the enemy, and that the object of the combination was that a French army should be landed, and on its landing should be joined by different parties which were to proceed together to overthrow the constitution. An army was actually landed on the coast of Wales. How different now was our political situation! We were now in a state of profound peace. But they were told of the disaffection which prevailed. If it could be shown that a majority, or comparatively, a very large portion of the population was disaffected, he should be prepared to withdraw his opposition. But he must contend, that every day’s experience furnished new proof, that if there was disaffection in the country, it was partial, and of very limited extent. He saw, therefore, no grounds for assenting to laws encroaching on the liberties of the subject. Not only were we at peace, but there was not a prospect that the peace would be disturbed. Was it likely to be disturbed by Napoleon Buonaparté, in whose person we had realized the fables

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of the Pagan Mythology, whom, like Prometheus we had chained to the rock, while the vulture Care prayed upon his vitals? It was not likely surely to be disturbed by the king of Spain, who was fully occupied with his own subjects; nor by the French government which we had restored; nor by Germany; nor by Russia. Against these various powers of Europe we had this security, that their finances were in a state even worse than our own. The noble earl who had spoken last, professed to have seen nothing but tumult and disorder in the various meetings for economical and parliamentary reform. Did he find this observation on the meetings in Kent or in Cornwall, or in Durham, or in the various numerous meetings in the city of London and in Southwark? In none of these meetings had there been the least appearance of riot. But it was said, that after the passing of the bill, the people might meet in the manner appointed by law, and under the various magistrates. But could these meetings be held—had not the sheriffs and mayors often refused to comply with the wishes of the people, to call meetings for the purpose of petitioning? As to the manner in which the law would be interpreted by the justices of peace by whom the power was to be exercised, they had a pretty good illustration in the conduct of a respectable magistrate, a relative of the noble viscount, who introduced the bill. When a bill similar to the present had passed in 1796, a meeting was held at Copenhagen House, and sir W. Addington, then at the head of the police, was appointed to attend the meeting. As this magistrate approached the platform, the first words he heard from a person, who was then addressing the meeting, were—“We shall now hear the exposition of the law from a Bow-street magistrate;” on which sir William called out “pull down that fellow.” The speaker was pulled down, and the meeting was dissolved. This certainly was a curious exposition of the law—to construe the words thus uttered to be words tending to bring the government or constitution into contempt, though he believed the magistrate, who was a well-meaning, though hasty man, acted according to the best of his discretion. But this showed how likely a discretionary power of this kind was to be abused even by a well meaning magistrate. He was disposed to believe indeed from the provisions of the bill that the *ratio justifica* and the *ratio suavioris*

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were very different. The ground on which the proposers of the measure justified it, was the necessity of suppressing seditious meetings—the ground on which they themselves seemed to have been persuaded to propose it was, the number of meetings for the redress of grievances, and for economical and parliamentary reform. It had been observed, that when the measures similar to those now proposed, had been adopted in 1796, no executions had taken place. This was true—no one had been executed but a spy of the government, who had attempted to lead others into acts of treason—"lex non justior ulla; quam necis artificem arte perire suâ". This was a proof of the wretched condition of any government which was under the necessity of employing spies to support itself. It was now the universal impression on the public mind that some reform in the state was necessary—an impression not founded on ignorance and prejudice, for the people were generally more enlightened than they had been at any former period. It was an impression which had been created by the diffusion of knowledge, and by the principles of the Christian religion, which were as favourable to well regulated freedom, as they were hostile to a violent and improper use of it—principles which directed us to "use our liberty not as a cloak for malice, but as servants of God." It was not in England alone, but throughout Europe, that this light was extending itself, notwithstanding the endeavours of the pope to check it. The spirit of freedom had increased, was increasing, and who would say that it ought to be diminished? Even now the fabric of despotism was shaken to its base, and it would, he trusted, speedily fall to the ground, to be broken to pieces, and to be trodden under foot by an enlightened and indignant world. As to the disturbances at Manchester, whatever they were, they could not be alleged in support of the bill, as they had been put an end to without the help of the present measure; but they were worth attention, as they showed how much the accounts of tumults had been exaggerated. A statement had been promulgated that numbers of pike heads and sticks, with something like daggers at the end of them were found. By letters which he had received from Chester he understood that this tale was utterly unfounded. As no necessity had been shown, he should vote against the bill.

The Duke of Athol wished to state in a few words the reasons which induced him to give his strenuous support to the present measure. He denied the correctness of the assertion of a noble viscount who had attributed the distresses of the country to the conduct of the administration. He contended that those calamities were owing to the transition from war to peace—to the speculations which had been carried on in a manner so opposite to the old English principles of trade, and which had involved those engaged in them in bankruptcy—to the exportation of sums of money which had been necessarily sent abroad to pay our troops—and, above all, to the dispensation of Providence, which had destroyed the fruits of the earth. If parliament had been called together at an earlier period, the country would have been deprived of the local assistance which the higher ranks had so actively afforded. When parliament had assembled not a moment was lost in laying before it grounds for the present measures. The example of sir Robert Walpole in 1722 had been referred to, and the ministers had been called on to imitate his example in restoring public credit. But how did he effect that object, except by measures such as were now proposed? He was convinced that the rise of the stocks at the present moment was also to be attributed to the display of well-timed energy on the part of the government which had given confidence to all good men. A respectable merchant, who had not always supported the administration, having been asked how he liked the suspension of the Habeas Corpus said, "I had rather be under the power of his majesty's government for three months than that my warehouses should be three hours in the power of a mob." He was persuaded the measures which had been passed, would be felt as benefits by all honest subjects, and that the threats of the factious and the malignant would be now disregarded, when it was seen there was a government to protect the loyal from outrage and insult. He abstained from addressing the House on most occasions, because his own opinions were more ably expressed and supported by others; but he could not sit silently and hear the distemper of the public mind attributed to a wrong cause. He expected much from the gradual demand for manufactures and the increasing prosperity of agriculture; and he hoped there would be no necessity for the renewal of the suspension of the Ha-

beas Corpus, when the present act expired. It was however impossible for any noble lord to say, at this moment, whether such a necessity would exist. If that necessity did recur, the ministers would not only be blameable, but would deserve impeachment if they did not apply for a prolongation of the term of suspension.—Parliament had granted them powers, which it was their duty to use with energy; but if they should be found ineffectual, it would be their duty again to apply to parliament for their extension.

Lord Auckland said, that he had felt some anxiety not to lose this opportunity of proclaiming his opposition to the bill under consideration. He agreed with the noble and learned lord on the woolsack, that the question to be discussed was, whether the necessity of the times justified the laws which had been proposed? and his objections to it were founded in a sincere belief that the necessity of the case did not warrant so violent a proceeding. He entertained the utmost respect and esteem for several members of the select committee; but he considered their report as an exaggerated representation of the actual danger, and of the prevailing disaffection. He knew of no one overt act, except the riots on the 2d of December, in the metropolis; and what were the circumstances attending them? A few mischievous deluded men appeared ready to execute crimes, and to commit murder and conflagration, hoping to find the majority of the population in a similar disposition; and in this attempt they had been disappointed. Equally futile had the attack on his Royal Highness been, though at the same time, no man could deny the heinous and aggravated nature of such an assault. But why, he would ask, were the people of England to be calumniated in consequence of the political or mischievous frenzes of a few? The attack on the Prince Regent, however, was not adduced as any ground for the present measure. For the correction of the offence of libel, the laws were admitted to be sufficient. It was a well-known fact, that the absurdity of those who harangued at public meetings, had sunk the speakers into their justly deserved obscurity; and it was equally well known that the people of England, as a people, were not involved in their seditious proceedings. The Union Clubs, with their branches and affiliations, sounded at first very mysteriously, but seemed to him to be of little more import-

ance, as an object of alarm, than the stories commonly used for the purpose of terrifying children. Even the testimony of ministers themselves was given in favour of the people, and their lordships were told that at no crisis had Englishmen shown themselves more patient than at present. If such was the case the people were miserably rewarded for it, as they were deprived of their liberties and best rights, and now given up to the power of an arbitrary administration. For his part, he saw nothing more remarkable in the times than the patience which had been manifested under such severe and universal distress. Where irritation had appeared, its consequences were prevented by the active and vigilant execution of the laws. In these circumstances he could not consent that the great barrier between the power of the Crown and the liberty of the people should be removed; or that the birth-right of the subject should be left to the discretion of ministers liable to be influenced by the malice or surmises of individuals. He had heard with astonishment a noble earl, who was a great admirer of precedents, speak of a bill of indemnity being rarely asked for by ministers, because they seldom, if ever, had abused their powers, and that when such a bill was asked for, parliament were always disposed to grant it. He did not admire the precedent, and he thought the circumstance that rendered the suspension less hateful than it would otherwise be, was, the right of action reserved to those who might be deprived of their personal liberty by its means. As a noble earl had pledged himself to oppose the continuance of the suspension, he too would pledge himself to oppose, in every stage, a bill of indemnity if it should be proposed in favour of what might be done under the powers intrusted to ministers by that act. The same objections which he had stated to the suspension of the Habeas Corpus act, applied generally to the provisions on this bill. The punishment decreed by the bill was quite disproportionate to the crime. In the country, where the people conceived they had a right to meet and discuss the measures of their government, and where, before the enactment of the present bills, they might do so without restraint, there might be people who would object to the power of a single magistrate to disperse them, especially if that magistrate, as might be the case, was actuated by insolence, prejudice, or petulance, to curb popular

privileges; and for this disobedience, which in their minds never amounted to rebellion, but was merely the offspring of ignorance or obstinacy, they were to be punished with death, and pay for their tardy dispersion the price of their blood. With this impression of unwarrantable and unnecessary severity—because he always loved and respected what was free—because he was proud that other nations in attempting to throw off their slavery, quoted us as examples, and emulated our freedom—because he conceived, that the lowest were entitled to express their opinions of the conduct of their government as well as the most affluent or powerful, and because he did not wish to see this noble privilege invaded or abridged, he would oppose the present bill. The constitution, he was convinced, would be impaired by it, instead of being protected. When he heard of danger to the constitution, he always had in his apprehension two classes of persons with whom that danger might originate. The first party was composed of those whose object it was to pull down all the privileged orders, to destroy every thing that savoured of the prerogative or legitimate authority of the Crown. The second, and not the least dangerous consisted of those who were for narrowing our liberties, and who grudged the people the exercise of their undoubted rights. Between these contending parties he wished to hold the balance even, yielding neither to the designs of the one, nor to the wishes of the other. He did not mean to enter into an examination of all the reasonings that had been employed in support of the bill, but he could not help alluding to an argument advanced on a former occasion, and repeated again by a noble duke to night, that the system of measures introduced by ministers had improved our commercial condition, and, particularly, that the adoption of them had raised the public funds. The funds had certainly risen about the time the constitution was suspended; but the connexion between those two events, as traced by the noble lords, appeared to him as fanciful and extraordinary as any thing he had ever heard. It put him in mind of a story of a traveller who stopped for a night at Stoney-Stratford, and who, having in the morning asked the name of the place, said, “I am not surprised that it is called Stoney, for I never was so bit before with fleas in all my life.” The relation between the measures of government and the rise of stocks appeared to

him to be of the same fanciful description, and proved by the same profound and recondite mode of argument. Viewing the bill, as he did, to be totally uncalled for by any present circumstances, it should certainly meet his decided opposition.

The Marquis of *Buckingham* considered the question now before their lordships to be one perhaps of the most important nature that could possibly engage their attention. He was prepared to contend against his noble friends who had spoken before him in this debate, in hostility to the bill, that this measure was necessary in the present circumstances of the country; and that its necessity pleaded its justification. His noble friends had first denied the danger, and then they argued that even upon the admission of the danger, the remedy was not appropriate. He differed with them in both their positions. He was convinced of the danger, and he believed the remedy was calculated to meet the emergency. He did not doubt the existence of the danger from the beginning; but even had he undervalued its evidence at the commencement of the session, sufficient proofs of it had since come to light. His alarm was not reduced by seeing those who usually advocated popular opinions blind to its extent, or even ready to deny its existence. The disavowal of danger was made by some, because they were anxious to under-rate what could not fairly be acknowledged without furnishing grounds for those measures to which they objected. He had heard, that there was no danger to the constitution from the designs of those whose operations this bill was intended to restrain; and that, because they were not headed by powerful individuals, therefore, their machinations were harmless. This argument had no influence on his mind, because we could find parallels in history of revolutions affected by instruments at first as insignificant and contemptible in appearance as the persons alluded to. The French revolution was no distant event of this kind. It had passed in our own time—it had occurred at our own door—it did not now agitate the world, but its memory was still fresh. The edifice was reduced to ruin, but the vestiges that remained showed its original extent. We remembered its fall, and we should never forget the crimes and the atrocities on which it was built, or the blood with which it was cemented. On its broken and disjointed fragments we might read an awful lesson of prudence

and caution. The flame of revolution had ceased to blaze the portentous image of its gigantic strength was happily consumed; but from its embers was kindled a light which at least helped the world to view even in its ruins the pile from which it was exhaled, and exhibited, as a warning to mankind, the staff of that flag which, when once unfurled at its summit, was the signal of devastation, bloodshed, and murder. He trusted the unparalleled results of that revolution would ever be a land-mark to the legislators of this country; and he firmly hoped that the melancholy experience of that ill-fated country, would show the people of this country how highly they ought to value the privileges of their glorious constitution. Never, he hoped in God, would such a dreadful and appalling scene be again seen in Europe, but it was worth while to inquire how that dreadful revolution had commenced. Was it begun by mighty armies? Was the first step taken by great generals? Were powerful nobles at the head of the first insurrectionary movements? No; it was brought about by the lowest of the people, by the efforts of the vile and the worthless from the most degraded ranks of society. Distress was the pretence, the motive, and the instrument. It was brought about by general suffering. It was brought about under colour of necessary change, and salutary reform. The moment the principle of reform was established, the moment that government was vilified, the moment the laws lost their authority, the danger began. It was well known to every man conversant with the history of that period (he might rather say most of their lordships recollected it), that advantage was taken of the existing financial embarrassments, and other distresses of France, to inflame the minds of the illiterate and ignorant class, and thus to prepare them, under a pretext of claiming their rights, for bloodshed and rapine. Abuses were alleged to exist in that ill-fated country, and the lower classes were taught to harangue and clamour about the impropriety of such abuses, and to petition for a reform. Leaders were found to head the disaffected, and the most powerful joined the most contemptible in overturning those institutions which, by the command of so much physical force, they saw themselves able to do. Those rights which had become sacred and invaluable were destroyed; instead of a reform, France was visited with a revolution. When considering such

events, one naturally, at such a crisis as the present, turned to Britain, and it was impossible not to witness the same attempts making here to inflame the public mind. He did not compare the free government of this country with the arbitrary government of France before the revolution (thank God we possessed a constitution infinitely superior!), but he was prepared to contend, that the means employed against the latter were similar to those that had proved successful against the former; and that the difference of their nature would not make a corresponding difference in favour of their permanency, without salutary precaution on our part. Notwithstanding our happy constitution there were still evil-minded persons who wished to draw the loyal from their duty, and who acted on the very principle of the French revolutionists. It had been said, and said with truth, that the space was short between the dethronement and the death of a monarch. With a little modification, the maxim might be applied to a government or a constitution. Allow it to be stript of all respect in the eyes of the people—allow it to be vilified and degraded at public meetings, and it would soon lose its energy, and with its energy the power of prolonging its own duration or securing public liberty. The efforts of the insignificant prepared the way for the attacks of the powerful, as the pioneers of an army undermined a fortress before the soldiers advanced to the assault. Every man who had observed the state of the country for the last four or five months, could not fail to be astonished at the attempts made to kindle popular fury by an exaggerated picture of public distress. That such distresses did exist no man could deny, and unfortunately, they had been taken advantage of by public demagogues. The poor, labouring as they unhappily did under many privations, and he must say, to the regret of every benevolent mind, were taught falsely how to remedy these distresses, and were equally misinformed respecting the causes of them. When he saw small purposes attempted to be brought about by great means, his suspicion was excited—when he saw now the same combinations as in 1794—when he saw the same means wielded by the same hands, when he saw the same instruments at work—when he saw the same principles promulgated the same doctrines advocated with undiminished energy—when he saw the same system of conduct begun, the

same rallying signs used, the same banners of rebellion displayed as on that occasion—when he saw religion as openly scoffed at as in 1794—when he saw all these symptoms, he could not disguise from himself that the evil was the same now as then; and that a similar remedy ought to be applied. It could not help being remarked what injury the cause of religion had sustained under this cry for reform, and how much her most sacred rites had been profaned, and thereby rendered ridiculous. Could their lordships, he would ask, seriously believe that those who thus encouraged such attacks on religion, who in their harangues held up the landholder and fundholder to be the greatest pests of society, were really friends to their country, or sincerely attached to the cause of reform? And he would further beg their lordships to consider the manner in which these friends of their country thus really injured it. It was by the abuse of one of the best privileges of British subjects. The pretence of the meetings which this bill affected was to petition Parliament or to address the Crown. The ostensible purpose was laudable. But meetings of a most seditious nature were held under a pretext of petitioning, and it was well known that in these meetings parliament was grossly insulted. Parliament should take care that assemblies of people collected for these ends should limit their powers to the accomplishment of them, and not convert their meetings into the means of outrage. The constitution gave the privilege of petitioning the legislature or addressing the Crown; but where did it say, that under colour of exercising this privilege the people might meet to create confusion, to alarm the well disposed, and to plunder the defenceless? Were they to break the laws of the land under the pretence of exercising a constitutional right, and then to plead this right as a cover for the breach? The legal exercise of the right should continue and be protected; but would any one say that it ought to be protected as lately exercised? Would any one say that the meeting at Spa-fields, that the meeting at Manchester, that the meeting at Portsdown-hill, took place in the due exercise of the right of petitioning, and that similar meetings ought still to be allowed. No man, surely, could assert that the harangues delivered at any of these meetings, or the addresses afterwards voted, contained the opinions of the people of England.

“But,” said his noble friends, “why make a new law when the old laws are sufficient to put down the evil.” He had not admitted that the existing laws were sufficient, nor was he prepared to do so. All the house knew the means that were employed to evade the law; the whole country knew that meetings might take place under the ruling demagogue of the day, in which the people might be told that parliament were careless of their prayers, and were determined to refuse redress; that the executive had determined on their ruin; and, in short, in which their passions might be excited, so as to carry them beyond their own control, into acts of tumult and riot. When they had been hurried by seditious and inflammatory harangues to breaches of the peace, the riot act might then be read and the multitude dispersed; or if they refused to disperse, they might be punished. This was the law as it at present stood. Was this law sufficient to meet the exigency of the times? Was it better to punish after a breach of the peace had happened, than to prevent the peace from being broken? Was it better to allow outrages to be committed, that they might be punished, than to guard against their commission, and save the vengeance of the law? But then, said his noble friends, one of them in particular, “why allow such power to one magistrate as this bill invests him with?” When they made this objection, they forgot the powers of the law as it at present stood. Could not one magistrate read the riot act? Could not one magistrate commit on his own responsibility? How foolish, therefore, was it to permit one magistrate to order the military to fire upon the multitude who refused to disperse, and to deny his competence to order a simple dispersion. How inconsistent was it to declare the sufficiency of one for an act of punishment and to demand the concurrence of two in an act of prevention or precaution. The real enemies of the people were those who, out of tenderness for their wishes or opinions, would allow them to proceed to abuse their privileges, and to degrade into instruments of faction or sedition their most sacred rights, that of petitioning the legislature or addressing the Crown. Considering the men who employed the privilege of petitioning for their own destruction as real enemies; conceiving likewise, that they were the worst enemies of the people he would support the present bill. Good effects had already resulted from the mea-

asures passed, or in progress. He was fully convinced that much benefit had already been derived from the suspension of the Habeas Corpus act, and from the other measures now in progress through parliament, and he had seen this in the public newspapers within these three days. The meeting at Spa-fields had been advertised for yesterday (the 24th of March), but it was happily postponed. The political demagogues who had presided at similar meetings saw the danger of meeting there, and avoided it. And why, he would ask, had they done so? Would any man believe that had they purposed to meet solely for reform they would have postponed their meeting? Surely not. The fact was, as the report of the secret committee had shown, that that meeting was held for obviously a different purpose; and that under a pretence of petitioning parliament or the Crown for redress of grievances, nothing but anarchy and revolution was desired. For let it be remembered what the baneful consequences of that meeting on the 2d of December had been, consequences which it was morally impossible could have followed, had the object been solely for reform. The greatest enemies of the public peace were certainly those who, under a pretence of claiming rights, inflamed the public mind, and thus prepared the way for the demolition of the venerable fabrics of civil and religious society. Glad he was that the delusion seemed to cease, yet he felt himself bound to give the bill now before their lordships his decided support. It was necessary to provide against what might happen, and certainly such a measure as the present was indispensable. Believing, was he did, that in the real constitution was comprehended obedience to the laws; believing that the real rights of the people could best be preserved by guarding them from abuse; and being of opinion that the present measure was calculated to accomplish the object, he would vote for the third reading of the bill.

The Earl of *Darney* was not aware of any comparison which could be made between France and this country, especially when it was considered that France was under a despotic government. The noble marquess, who had just sat down, had said, that the means employed to bring about the French revolution, and those now employed by the discontented in this country, were of the same kind. He could not assent to the proposition. The revolutionary party in France was assisted by

the arbitrary nature of the government; by an extensive and prodigal court. Circumstances did not exist to the same extent in this country. In the secret committee there might have been evidence given of a conspiracy to overturn the state, but surely none had been shown to the House. He believed in the danger of no conspiracy, far less of the insignificant and contemptible party which was said to have conspired. The general anxiety was directed to parliamentary reform, and the general agitation rose from distress. How did the matter stand? We had enjoyed peace now for some time, but we were still suffering under the pressure of severe distress. The manufacturing, the commercial, and the agricultural classes were all suffering. In consequence of this, it was natural to expect, that a few ill-designing persons should wish to take advantage of the irritation of the public mind. But how had they shown their temper? Where was there any dangerous meeting but at Spa-fields? It was now nearly four months since that meeting. At the first meeting there was some rioting; and government, if they had been anxious to prevent a second, should have called parliament together earlier, so as to obtain its assistance, if they really thought the present measures necessary. On the 2d of December there had been some outrage, but few joined the mob, its progress being arrested by the indefatigable exertions of that active magistrate, the lord mayor, to whose exertions he mainly attributed, in this season of difficulty, the preservation of the peace of the metropolis. Why had ministers, who must have known what was occurring in the country, not called the legislative body sooner together? Ministers knew the events of the 15th of November at Spa-fields, and they allowed that meeting to adjourn to the 2d of December. It was impossible that they could be ignorant of what was passing at that meeting, and of the object for which it was convened. All this was, however, permitted, in order that ministers might obtain their own ends; that they might have a pretence for their arbitrary measures; and might be enabled to confound those who opposed the abuses of administration, with those who endeavoured to effect a revolution. While ministers admitted, that the great mass of society were untainted with sedition, he begged to ask, where was the necessity for this measure? for he was fully convinced, that

the laws in existence were sufficiently competent for restraining all outrages. Though the laws, as they stood, were, in his view, competent to the preservation of the public peace, he would not have objected to such clauses in the bill as those by which such meetings as that of Spa-fields might be prevented; but when he was asked to give such powers to a single magistrate, as those with which the present bill would invest him, he could not consent to the demand. His noble friend had made a mistake in comparing the powers of the magistrate under the riot act, and under this bill. In the riot act his duty was clear, because the nature of the assemblage could not be doubted; but under the present bill, there was no overt act required. The meeting was legally assembled, and was to be dispersed upon his discretionary view of the doctrines promulgated, or his opinion that they tended to bring into hatred and contempt the government. He could not, therefore, give his consent to the bill. He could not concur in an observation that had fallen from the noble earl opposite, that because we had reduced the army, and were at peace, there was greater danger than in war; and that, consequently, this measure was necessary to come in aid of a military force. If this argument was useful for any thing, it tended to show, that in reducing the army, we had violated the constitution, and that a standing force was the only safeguard of our freedom.

The Earl of *Aberdeen* observed, that necessity alone could justify the bill before the House, and that necessity being proved, its policy was sufficiently established, and he felt himself called upon to give it his support. As to the opinion of the country, with respect to the expediency of this and the other measures which had recently been adopted, their lordships had received various and contradictory statements; but from the result of his inquiry, he was led to conclude, that the judgment of the more intelligent and considerate part of the people, was decidedly in favour of the policy which dictated those measures. The noble lords on the opposite side of the House, were however of opinion, that the necessity alleged and known to exist, was not sufficient to warrant a bill of this nature. According to the judgment of some, the course of proceeding proposed by his majesty's ministers, would not be warrantable, unless

the majority of the people were disaffected, or, according to others, when we were on the eve of a revolution; but he submitted to those noble lords, whether it would not be better to adopt such a course with a view to prevention. Such prevention was the object of this bill, and therefore he most cordially approved of it. Those noble lords might however boast, that this bill, and the measures which it was meant to accompany, were unnecessary, if no actual danger should occur, which he trusted would be the case; but he would leave their lordships to enjoy the boast, and exult in the cry of victory, while he would applaud the wise providence of the measures which he hoped would furnish them with the occasion. With respect again to the amount of the danger, which some of these noble lords required to justify the adoption of the measures alluded to, namely, that they should not be enacted merely because a minority of the people only were disaffected, he begged those noble lords and the House to consider, that, as it was indisputably true, that the greatest evils in all revolutions proceeded from the minority, so, in point of energy and consequent power, a minority might become the real effective majority of the country. That great energy appeared to belong to some of those, by whom recent tumultuous scenes had been excited, could not at all be doubted. But it was said, that those scenes were not the result of any contrivance or artificial excitement, but produced solely by the extent of the public distress. That distress he was ready to admit, and he deplored its pressure as much as any man. Those, however, who promoted some late public meetings, had, he was persuaded, other objects in view than its relief or mitigation, and these objects were the same as characterized the same class of agitators on a former occasion. On that occasion, a noble earl opposite thought it his duty to support the Suspension of the Habeas Corpus act, and on an occasion similar to the present. But yet that noble earl, in this instance, opposed a similar policy, accounting for his change of opinion upon this ground, truly, that the country was, on that occasion, involved in war, while at present it was in a state of peace. The question, however, was, not whether the country was in peace or war, but whether it was not as desirable in the one case, as well as in the other, to deprecate and provide against such evils as anarchy, civil blood-

shed, and confusion? and whether those evils were not as much to be apprehended now, as in the year 1794? The noble earl had dwelt much upon the grievances to which the country was subjected, and upon the distresses which the people suffered, but he begged the noble earl to consider, whether these grievances were likely to be reduced, or these distresses alleviated, by involving the country in confusion? or whether such confusion was not rather likely to aggravate such evils? With regard to the observation, that ministers should have had parliament convened at an earlier period, in order to consider the distress of the country, he thought that observation had been already sufficiently answered. But as to the distress itself, he had himself resorted to every source of information within his reach, in order to ascertain the cause of its pressure. He had also, with the same view, listened attentively to every noble lord who had spoken upon the subject, especially from the other side of the House. When, however, he heard a noble marquess state, on a former evening, that the distress of this country was owing to the annexation of Genoa to Sardinia, and that of Lombardy to Austria, he confessed, that he gave up all idea of accurate information from that quarter. According to his judgment, one great cause of the distress, especially among manufacturers and tradesmen, proceeded from the immense reduction of public expense consequent upon the peace, and the economical retrenchments of the administration. But still, he trusted, that ministers would persevere in their system of retrenchment and economy, and they could not fail thus to ensure the approbation and gratitude of every reflecting man in the country. The bill under consideration was calculated to guard against great and impending evils, while it in no degree tended to interfere with the subject's just right of petition, and it should therefore receive his cordial support.

Earl Grosvenor, in explanation, observed, that his change of opinion with regard to the necessity of the measures adopted at a former period, and those at present proposed, did not rest solely upon the circumstance of this country having been then at war, but upon this ground also, that there were at that period persons in this country actually plotting with the government of France, for the subversion of the constitution, while the country

was at present free from either of those evils.

The Duke of *Sussex* felt it impossible to give a silent vote upon this important question. He was aware, that from the opinion which any noble lord pronounced on this occasion, he would be conceived to stand pledged for his constitutional doctrines; and although he differed totally from those noble lords who occupied the ministerial benches, he felt conscious that he was as strongly attached to the true principles of that constitution as any individual among them. Upon the allusion which had been made to so many topics, which were, in his judgment, quite foreign to the question before the House, he did not propose to dwell; but he could not forbear from observing, that it was an egregious error to maintain, that no persons of consequence or consideration were concerned in originating or promoting the French Revolution. For it was notorious that although few men of rank were at first engaged in it, yet many men of talents, and vast numbers of literary characters, were active promoters of it. It was supported likewise by one of the royal family. When that person of great rank joined it, both he and many of his partisans were unaware of the extent to which it would be carried, or of the dangers which it threatened. Therefore, on that point, he must consider this individual, although he had no acquaintance whatever with him, as perfectly innocent. But there were many circumstances peculiar to France at the time (among which was the bankrupt condition of her finances), none of which were, in any degree, applicable to this country; for how could any parallel be drawn between the circumstances of an arbitrary and a free government? How could it, besides, be contended, that the counter revolution which so fortunately put an end to the great evil to which he had alluded, was attributable to the mere force of arms? No, the counter revolution was the result of the spirit of the people, which the oppressive operation of that revolution had universally roused, and which enabled sovereigns to effect its overthrow. That baneful revolution, then, being now no more, there was no farther danger to be apprehended from such a precedent, and therefore there was the less necessity for any measure of this nature. The example of that revolution warranted quite a different conclusion from that upon which

some noble lords appeared so eager to insist. He entertained the most complete conviction that a measure of the description before the House, involving as it did a serious infringement upon the rights and liberties of the people, would rather tend to aggravate than to allay or remove the discontent against which it was proposed to provide.

Viscount *Sidmouth*, advertent to the clause introduced yesterday for the prevention of meetings within a mile of the door of Westminster-hall, stated, that the restriction was not intended to create a difficulty to the inhabitants of Westminster. It had been considered since yesterday, that Covent-garden, the usual place for holding elections for Westminster, was within the precincts of that city, and that the borough of Southwark did not form any of the usual avenues to parliament. He therefore proposed to withdraw the clause, that no persons, above the number of fifty, should meet within a mile of the door of Westminster-hall, and to substitute, as an amendment, the words, "saving and excepting in St. Paul's, Covent-garden, and the borough of Southwark." The clause, so amended, could not produce any inconvenience to the inhabitants of Westminster or the borough; and as it would at all times secure a free passage to the House, he should propose that it might be permanent. This amendment, he hoped, would obviate any objection on the part of the electors of Westminster, as Covent-garden was the place of election, and convenient for their assembling for the purpose of considering of any petition, while parliament would be protected from inconvenience.

Lord *Holland* objected to the substance, form, and time, of the clause. When these measures of coercion had been first adopted, he had himself been willing to consider what step might not be permanently disadvantageous to the people, and yet might meet the wishes even of those who thought all public meetings dangerous. He then thought that meetings near the House of Parliament might with propriety be prevented; not because they were dangerous, but because they sometimes presented an obstruction to the performance of parliamentary duties; and, therefore, while parliament was sitting, he thought there was no great objection to such a clause. But the present clause particularly marked out the inhabitants of Westminster, though there was

no reason why they should be so distinguished. When a mob of the most wanton and dangerous character had beset their doors in the year 1780, no such provision was thought of; and what had the electors of Westminster done to be singled out in this manner and debarred from their usual place of meeting? Neither was there any reason why the mile should be computed from the door of Westminster-hall, for parliament might not always be stationary, and it was better that the boundary should be drawn from the place in which parliament might be sitting. It might meet elsewhere—at Oxford, for instance, as it had formerly done. The provision, also, went beyond the reason of the thing; for the object ostensibly in view was, to clear the avenues of parliament. Why, then, should the prohibition extend a mile? Why was it extended even to Charing-cross? A tumult there could not greatly inconvenience members of parliament. The end would be answered by providing that no popular meeting should take place within half a mile of the Parliament House, or after a certain hour. Thus the legal meetings of the Westminster electors might take place as usual at Palace-yard, but these meetings might take place at any hour in Charing-cross; without, in his opinion, offering any impediment to the members of parliament, for there were other avenues to Westminster-hall, and Surrey should be altogether excluded; for that certainly was not an avenue to parliament. Till now he had not been aware, that since the time of lord George Gordon any act had passed to prevent the overawing of parliament: but if that were the case, there could be no necessity for the present measure. A noble friend of his had been reproached with change of opinion. There was nothing disgraceful in changing an opinion on mature grounds; and never was any thing more unmerited than the present reproach, for the circumstances under which his noble friend had justified such a measure were totally different from those which were alleged in its support at present; and ministers admitted that nothing but the most pressing necessity could be a sufficient ground for its adoption. The proposition was brought forward too late, and, like two-thirds of the bill, was pressed without affording any time for its adequate discussion, or for the interposition or remonstrance of those whose rights it would im-

mediately affect. It was this night intended to make that permanent which only last night was proposed to make temporary. On these grounds he recommended that the clause should be altogether withdrawn, and made the subject of a separate bill which would afford time for its due consideration.

The *Lord Chancellor* observed, that the question before their lordships now was, simply, whether the clause, which seemed so objectionable to some noble lords, should stand part of the bill? Both sides of the House appeared to him agreed, although perhaps on different grounds, that it should not. He then put the question, when it appeared the non-contents had it, and the clause was expunged. The clause of the noble viscount, amending the former, and excluding from the prohibition the before-mentioned parts of Covent-garden and the borough of Southwark, was then put.

The Earl of *Rosslyn* considered this clause an excessively severe and unexpected attack upon the privileges of the citizens of Westminster, whose interests were the more entitled to the consideration and protection of the House, inasmuch as they were not themselves present by petition or counsel, to defend this sudden invasion of their rights. He complained that the House had been taken by surprise. Last night they had been told that this was only a temporary measure; and now, without any notice, at the last stage of the bill, it was proposed to render it permanent. This he thought was dealing hardly by the people of Westminster.

The Earl of *Liverpool* was surprised that so much had been said in objection to the proposed clause, as it could not fairly be said to create any inconvenience, much less disability, to the citizens of Westminster, but had been introduced solely with a view to ensure that respect and facility of approach to the Houses, which on some late occasions it had been their misfortune to experience, had been violated and interrupted. The noble lord had complained of surprise; but the real question was, whether there was any objection to the measure: he could see none. The inhabitants of Westminster were not precluded from holding their legal meetings, and Covent-garden had always been the legal recognized place for those meetings. Some limit must be fixed on, and he knew none less objectionable than that which had been proposed.

The Earl of *Lauderdale* thought if the provision was intended to be permanent, they ought to proceed more cautiously. He was afraid, too, that if they adopted this clause, they might in reality prevent the people of Westminster from holding any meeting whatever. He understood that the area of Covent-garden was private property. The proprietor of the ground might, therefore, prevent any meeting from being held there for public purposes; or, at all events, obstruct the avenues.

The *Lord Chancellor* stated, that the right of holding a market in Covent-garden was private, but that the streets could not be closed to the public.

The clause was adopted without a division. The earl of *Liverpool* then moved that the bill do pass, on which their lordships divided:—Contents, 111; Non-Contents, 23: Majority, 88.

PROTEST AGAINST THE SEDITIOUS MEETINGS BILL.] The following Protest was entered on the Journals:

“Dissentient,

“Because it appears to us that this statute, in inflicting the penalty of death, is unjustly severe; that it gives to magistrates a formidable and unnecessary power, improperly controlling the general expression of opinion, and interfering both with the public and private meetings of the people, in times of which we consider the danger to be much exaggerated, and which we think call for measures of conciliation and relief, and not for coercion.

(Signed) AUCKLAND,
AUGUSTUS FREDERICK,
VASSAL HOLLAND,
SOMERSET,
ERSKINE,
GROSVENOR,
ROSSLYN,
CLIFTON.”

HOUSE OF COMMONS.

Tuesday, March 25.

AGRICULTURAL DISTRESS.] Mr. Howell presented a Petition from the freeholders and others of the county of Cardigan, stating the great distress arising from causes some general, others local, particularly the imposition of the duties on coal and culm, in that county. The Petition expressed its confidence in receiving from the wisdom of parliament every possible mitigation, and prayed for relief from the duties on coal and culm.

Lord Robert Seymour said:—I can, from personal observation, assure the House, that a degree of distress prevails in the county of Cardigan, quite unparalleled, as I believe, even at this season of general difficulty and want, in any part of great Britain. The landholders of this county are quite without a market for their produce, whether it consist in cattle or in the articles of the dairy; their corn too, was in the last instance so ill-harvested, that a great part of it is unfit for sale, and hardly useable to the growers of it. I need hardly say, that under these circumstances the land-owners receive little or no part of their rents; this, however, is not the only or perhaps the greatest evil which now presses upon this county, for in the hilly parts of it, as well as of the county of Carmarthen, its neighbour, which lie at a distance from 30 to 35 miles from coal, and in which there is not a tree or a hedge, the inhabitants are so completely in want of fuel, that few, if any, of the cottagers have seen a spark of fire upon their own hearths for the last three or four months. They are indeed allowed to boil their pots and bake their bread on the fires of the neighbouring farmers; but for this privilege, the farmers who are nearly as much distressed as the cottagers, are obliged to make them pay. Peat is the only fuel used by the poor of the county in question; this they cut and pile or stack in the summer months, and the farmers carry it to their cottages, when they have secured their own corn. Now, unfortunately the latter part of the corn-harvest season was accompanied by a series of heavy rain, which perfectly washed away and destroyed their heaps of peat, threw down the oats, which are the chief bread-corn of that county, before the ear was at all filled, and by producing early autumnal frosts, very much injured the potatoe crops, so that they are nearly without food and quite without firing of any kind; and I do verily believe, that unless some unlooked-to aid shall be given to them, a great part of the population of the county I have been describing, will, in the course of a few months, be under ground, typhus fever and dysentery already prevailing among them. I have stated these facts to the House with three views; in the first place, in the hope, faint as it may be, of the House interposing to save the people I have been talking of from famine; in the next to further, as far as in me lies,

the object of the petition before us; and, in the last place, to lead the attention of the House to the very temperate and respectful terms in which this petition is couched. The temperate language of the petition does infinite credit to the good sense, judgment, and taste of these suffering petitioners.

The petition was ordered to lie on the table.

HOUSE OF COMMONS.

Wednesday, March 26.

SEDITIONS MEETINGS BILL.] A message from the Lords announced their lordships assent to the Seditious Meetings bill, with certain amendments. The messengers having withdrawn,

The *Chancellor of the Exchequer* moved, that the amendments be taken into consideration to-morrow.

Mr. Brougham took it to be clear, that the amendments might occasion considerable discussion in that House, and therefore he hoped the right hon. gentleman would not press the consideration of them before the holidays.

The *Chancellor of the Exchequer* said, that nothing could be more inconvenient than to delay the discussion on a bill of this nature. The preservation of the peace of the country rendered it absolutely necessary that no time should be lost in passing the bill into a law. He should certainly persevere in his motion, that the amendments be taken into consideration to-morrow.

Mr. Curwen was certain, that no measure of greater importance could be brought under the consideration of the House, and therefore, full time should be allowed for the discussion. This bill went to annihilate the best liberties of the subject; and he trusted that it would never pass that House. Nothing could tend more effectually to extinguish all public liberty than to enact, that there should be a complete gagging of the people within a certain distance. Every day went to prove that this odious measure was altogether unnecessary; and, as the right hon. gentleman in the chair was labouring under severe indisposition, and, consequently, a late debate might be very injurious to him, it was highly important that the discussion should be deferred. To him there appeared no necessity whatever for this bill; and he could not but observe, that, highly as he might think of the integrity of hon.

members, he knew not what that House would come to, if their connexion with the people was cut off.

Sir *James Graham* differed in every point from his hon. colleague, and decidedly thought the only way to save the country was by such provisions as the present. He knew this bill was anxiously expected by every good, and loyal, and sober minded subject in the kingdom.

Mr. *Brougham* wished to ask the right hon. gentleman if he had any objection to the bill and its amendments being printed.

The *Chancellor of the Exchequer* said, the bill was already printed, but he would not object to the amendments being printed.

Mr. *Brougham* asked, whether the right hon. gentleman did not think to-morrow too early to take the amendments into consideration? The House could not receive the printed copies till a late hour; and the right hon. gentleman would, perhaps, bring forward the discussion almost as soon as the House met.

The *Chancellor of the Exchequer* had no doubt that the amendments would be printed in time.

They were then ordered to be printed.

PRINTED VOTES OF THE HOUSE.]

The *Speaker* stated, that with the leave of the House, he should submit to its consideration the adoption, as he had last night noticed, of some more convenient and expeditious mode of publishing and delivering to the members the printed votes. Since the reign of Charles 2nd, when in the year 1680, the printing of its votes was first established, the duty of superintending their publication was vested in the Speaker for the time being. He, however, should not feel himself warranted in any deviation from the established usage, without having the previous sanction of the House. Since the accession of his present majesty, until the period of the Union, the business of that House had increased threefold. From the Union to the present time that increase was fivefold. From this consideration he had directed his attention to ascertain whether or not the publication of the votes and of the journals might not be effected in some more compressed form, so as to have their delivery take place at a much earlier period than was possible under the present system, and at a reduced expense in the charge of printing, which now amounted to some thousands. He was now satisfied that the

printed votes under the new arrangement, could be delivered the morning after the decision, and that they might also contain the orders of the day, the notices, and the second readings of private bills. The consequence of the arrangement in the votes would give such an accession of assistance in the preparation of the printed journals, that in their new form they would be also ready for delivery a week after the termination of the session, and not, as at present, continue so long delayed. If the proposition should meet the sanction of the select committee, to which it might be deemed advisable to refer it, he should submit the propriety of a speedy decision, in order that such exertions might be made during the recess, as would allow the new arrangement to be tried as an experiment during the residue of the session [Hear, hear!].

The *Chancellor of the Exchequer* said, that after the clear statement of the Chair, he should merely move, "That a select committee be appointed to consider of a more convenient and expeditious method of preparing and distributing the printed votes of this House."

The motion was agreed to, and a committee appointed.

HOUSE OF COMMONS.

Thursday, March 27.

BANKRUPTCY REPRESSION BILL.]

Mr. *Lockhart* brought in a bill to amend such part of the bankrupt laws as related to granting the bankrupts certificate. As the object of the bill went to introduce a new principle, he wished it to lie over a long time for consideration; and, therefore, should not propose the second reading till the 1st of May. The object was, to impose a duty on the commissioners to examine into the conduct of the bankrupt, so that the lord chancellor might be enabled to exercise a proper discretion in granting his certificate.

Mr. *Wrottesley* conceived the bill unnecessary. As the law now stood, the commissioners had one jurisdiction, the creditors another, and the lord chancellor a third; and, therefore, although the creditors should sign the certificate, the commissioners might withhold their signatures, and, finally, the lord chancellor might refuse to put the great seal to it.

The bill was ordered to be read a second time on the 1st of May.

PRINTED VOTES OF THE HOUSE.] Mr. *Bathurst* reported from the select committee appointed to consider of a more convenient and expeditious method of preparing and distributing the printed votes of this House, that the committee having examined Mr. *Ley* and Mr. *Rickman*, the clerks assistant of the House, Mr. *Whittam* the clerk of the journals, and Mr. *Bowyer Nichols*, the printer of the votes, and compared the intended compressed form of the votes, with that at present in use, had come to the following resolution: "That it will be advisable that the votes and proceedings of the House should be prepared, printed, and distributed according to the method proposed and described in the papers thereunto annexed." The report was ordered to be taken into consideration to-morrow: when it was agreed to by the House.

FINANCE COMMITTEE.] Mr. *Davies Gilbert* presented the first report from the Select Committee on Finance. The report was read, and began by stating, that the subject was not new to the House as in 1812 and 1813, measures had been adopted respecting it. The committee had inquired first, what reductions it was possible to make; secondly, what compensation should be given to persons holding high and effective offices; and thirdly, what offices might be reduced as were considered in the nature of sinecures, and that all such offices should be as soon as possible abolished after the deaths of their respective holders. The committee recommended the abolition of the chief justiceship in Eyre, north and south of the Trent, of the auditorship of the exchequer, of the clerk of the pells, the four tellerships of the exchequer, the lord warden of the Cinque Ports, the governor of the Isle of Wight, and the commissary general of musters. The committee considered such offices ought to be abolished. In presenting this report the committee stated that they had lost no time in considering the matters referred to them, and had made their report as early as possible; and had not omitted to attend to every measure of real and practical economy. The clerk was proceeding to read the remainder of the report, but Mr. *Gilbert* suggested that it was unnecessary to go farther. Enough had been read to satisfy the House of the spirit of the report, and of the feelings by which the committee had been actuated.

The report was ordered to be printed.

SEDITIONS MEETINGS BILL.] On the order of the day for taking into consideration the Lords Amendments to this bill,

Lord *Folkestone* stated, that as the next motion would be to take the amendments into consideration, he conceived the present was the time for him to declare his conviction, that it was wholly impossible to entertain that subject that night. The very circumstance of the chancellor of the exchequer having but last night agreed to have these amendments printed, was of itself, he thought, sufficient to persuade the House of the propriety of postponing the consideration of such an important measure. He had received indeed, in good time this morning, the various amendments, and had endeavoured as much as lay in his power to master the subject; but all in vain. He had found, besides two entirely new clauses, fifty-five amendments. The printed papers he had received gave only 14 references to the original bill, and of those 14 only one was correct. In some instances, indeed, he could find the matter referred to in the line above or the line below, but never could be certain which was really intended; in others it could not be found at all. The very first reference afforded a strong instance of the incorrectness that prevailed throughout. On these grounds, he thought it impossible that the House should so soon proceed to the discussion of the amendments.

The *Solicitor General* contended, that the general spirit of the amendments was perfectly intelligible; and that, as the noble lord had stated no objection to the spirit of the clauses, he did not think that any ground for delay had been pointed out.

The *Speaker* stated, that early in the morning one of the printed papers had been brought to him, in which he had discovered several mistakes: these he had corrected, and had ordered the whole to be reprinted, which was all he could do.

Lord *Folkestone* said, it was very hard, after all the pains hon. members had taken to be now told that there was a correct copy, but that they had been losing their time on one which was confessedly erroneous. This was a farther reason why the business should be deferred.

Mr. *Brougham* said, that when he last night begged one day's delay, in order that he might have time to understand the amendments, the argument he had insisted on was this—that unless the amendments were printed in time for members

to consider them before they entered on the discussion, it was a mockery to submit them to their inspection; the chancellor of the exchequer then replied, that they should be delivered early in the morning. It was in consequence of this haste, that the references had been so printed, not only as to afford no information, but absolutely to mislead the members. He hoped that, in the face of the circumstance that the House was going to legislate on it knew not what, the right hon. gentleman would postpone the discussion.

The *Chancellor of the Exchequer* replied, that the hon. and learned gentleman had yesterday asked for a postponement till after Easter, and on that account he had been provoked to hasten the measure more perhaps than he should otherwise have done. He admitted, under the circumstance of the errors in the references, that the House had not had sufficient time to consider the business. He therefore agreed that the discussion should be deferred till to-morrow.

The amendments were ordered to be taken into consideration to-morrow.

HOUSE OF COMMONS.

Friday, March 28.

PRISONS IN IRELAND.] Mr. *Bennet* considered this subject to be extremely worthy of attention from the House. The situation of the prisons in Dublin was miserable in the extreme, and certainly it could not be too much lamented that any human beings should be confined in them. In a room extremely small, ten persons of both sexes have been huddled together for one night. The right hon. gentleman opposite had certainly done himself infinite credit by the humanity he had shown in personally visiting the prisons, and examining the various cases. With a view to take some measures on this subject, he moved, "That a Return be laid before the House of the number of persons, confined at any one period in the Marshalsea prison of Dublin during the last twelve months."

Mr. *Peel* entirely coincided in the opinion delivered by the hon. gentleman as to the miserable state of the prisons in Ireland, and should be happy to find that any measures could be taken which would lead to the amelioration of the condition of the wretched inmates of these prisons. Dublin, without doubt, required a new

prison, and it would be infinitely better and cheaper for the magistrates of that city at once to erect a new prison, than to be always expending money in the repairs of their present wretched buildings: The room alluded to by the hon. gentleman, was not more than twelve feet by seven; and yet in it had ten miserable human beings been doomed to pass one night at one time. No temporary remedy could be of any avail, and he should therefore heartily concur in the motion of the hon. gentleman, with the hope of that motion leading to some useful measures.

The motion was agreed to.

SEDITIONOUS MEETINGS BILL.] The Solicitor General moved the order of the day for taking into consideration the Lords Amendments to this bill.

Lord *Folkestone* wished to ask the Speaker whether the bill to which the House of Lords had thus made amendments was not a money bill, to such an extent, at least, as to induce the House, in maintenance of their ancient privileges, altogether to reject the measure thus amended?

The *Speaker* had no difficulty in replying, that in the sense in which the House understood the term money bill, the bill then before them was not a money bill. In this bill, as well as in other bills not actually money bills, there might be clauses relating to money, to which the House could not permit the Lords to make any amendments. In fact, in the very first clause of the bill a penalty had been extended by the House of Lords, and therefore when the bill came under the consideration of the House, he should suggest to them the expediency of rejecting that amendment.

The order of the day being read,

The *Speaker* observed, that it was his duty to call the attention of the House to an alteration made by the House of Lords in the bill, pr. 3. l. 38. As the bill passed the House of Commons it was declared, that any person refusing to deliver notice to a justice of the peace, should forfeit 50*l*. The House of Lords had extended the penalty to any person refusing to deliver the notice to a justice of the peace, "or the mayor, or head officer of the county, city, town or place respectively." This was an amendment to which the House, consistently with its privileges, could not agree.

The *Chancellor of the Exchequer*, in consequence of what had fallen from the Chair, moved that the House should disagree with the Lords in this amendment; which motion was agreed to.

On the next amendment pr. 4. l. 34. and 35, being read, viz. "after 'holden,' insert, 'and such notice so given by such' means as aforesaid, shall be as effectual 'to all intents and purposes, as if the 'same had been given by public advertisement inserted in any such newspaper 'as aforesaid.'"

Lord *Cochrane* said, that it was so essential to the best interests and privileges of the country, that the bill should not pass into a law, that he held it to be his indispensable duty to object by every means conformable to the customs and rules of the House, not only to the bill *in toto*, but to every alteration that had been made in it. With respect to the present amendment, it was not only unnecessary, but actually destroyed the sense of the passage in which it occurred. He should therefore divide the House on the motion for leaving out of that amendment the words—"by such means as aforesaid."

The gallery was then cleared for a division, but the noble lord not having a fellow-teller in favour of his motion, no division took place.

On the amendment pr. 6, l. 28, to leave out "being" and insert "shall be,"

Lord *Cochrane* said, he felt it his duty to state at once the general motives which actuated his conduct on the present occasion. Why was any mention made of danger to the courts of justice in Westminster-hall from public meetings? Was there not equal danger to courts of justice in Guild-hall from public meetings there? The fact was, and he said it without hesitation, it was that House which was afraid. It was the ministers who felt that they deserved the reproach, and perhaps the indignation of the people. He told the right hon. gentleman, and he told his majesty's ministers generally, that the consciousness of their bad measures made them afraid to meet the people. They were afraid to meet the people in the place in which the people had been accustomed to meet for more than a thousand years. They were afraid to meet the people, because they knew the general indignation excited against them by their wicked and abominable measures, and by the determination which they had

manifested to establish a military despotism in the country, and put down freedom here as they had already assisted in putting it down all over the rest of Europe. The assertion about the courts of justice was a mere false pretence to cover these apprehensions. There was no pretence whatever for removing the Westminster meetings to the distance of a mile from Westminster-hall (with the exception of Covent-garden), where it was well known no public meeting could take place without the sanction of the duke of Bedford. Were they afraid that the people would meet in Waterloo-place? and did they wish to prevent their voice from reaching the ears of his royal highness? He was convinced that, with all the military force in the country, and with these bills at their backs, the present system of governing this free country could not be long pursued. He should have thought that the page of British history contained sufficient warnings on the subject. It was there recorded, that whenever ministers sat themselves in defiance of the people, to bear down their rights and liberties, such proceedings always ended in their disgrace and ruin, if not in circumstances which it was painful even to recollect. In former times, bad ministers had lost their heads, when they made such flagrant attacks on the rights and liberties of the people. He had thought it his duty, at the very commencement of this discussion, thus fully to state his opinion. He had also thought it his duty to declare, that he would take the sense of the House on every one of the amendments; but as on the last proceeding of that nature he had not been so fortunate as so have a seconder, he should not persevere in his intention.

The amendment was then agreed to; as were several others.

Mr. *Brougham* could not help wishing, that when the clerk came to any amendments which were not merely verbal, some of his majesty's ministers would notify the fact, and briefly explain the nature of the particular amendment. It was very easy to say, after such a word insert such a word, and so on; but it was not equally easy to catch the meaning of the sentence so altered. Now his case was this, and he was sure it was the same with many other gentlemen. He had left home early this morning on professional business, and did not get the printed amendments until late in the day on his return; he was then

so occupied, that he could not look into them until past four, and he was now called on, without one moment's opportunity of consideration or reflection, to say yea or nay to a question which, for aught he knew, effected a total change in the law of the land. Amendments thus hastily read, though they appeared at first sight but verbal transpositions, might be the means of making new legislative measures.

Mr. *Bathurst* admitted, that where any alteration was not of a verbal, but substantive nature, it was not too much to call upon that side of the House for proper explanation. The greater part of the amendments were of an immaterial character: that before the House was for the purpose of adding the words "or magistrate," after "justice of the peace."

Lord *Folkestone* read the clause containing, "and he and they are hereby required to make, or cause to be made, proclamation, &c. commanding all persons there assembled to depart," and contended that its structure, according to the plain reading, was not that the people assembled should disperse, but the magistrates themselves. He read the remainder of the sentence, to prove the correctness of his observation. He had looked at it every way, and the only sense in which he could understand it was, "that it should be lawful for the justices to disperse themselves."

Mr. *Bathurst* could not concur in the noble lord's reading. He thought the wording plain and designatory enough.

Mr. *Brougham* said, they were about to involve themselves in a situation of great difficulty, by risking an unintelligible measure, which ought, above all others, from its character, to be sent out in the most perfect state. The only satisfactory way of proceeding would be to have the clauses as amended, inserted in their proper places in the body of the bill, and the whole reprinted in a collected shape. With this view he would move as an amendment, "that the debate be adjourned till Monday next."

Mr. *Abercrombie* stated, that there were fifty-five amendments of one sort or another, made by the lords in this bill. The House was in the dilemma of having agreed to some parts of these amendments, the after parts of which were now found to be nonsense. The right hon. gentleman opposite wished the House to agree to the parts which were correct, and to dissent from the others. They must proceed

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with the measure as a whole, and they were bound to do so deliberately. Let them then proceed with calmness, for the sake of the people against whom they were about to enact such terrible penalties. He stood precisely in the same situation as his hon. and learned friend, not having, from the pressure of professional business, been able to look into the bill until after he entered the House. They ought not to allow themselves to be betrayed into the enactment of such ambiguous clauses as would throw the necessity of putting different constructions upon them on the courts of justice of the country. The law in this case ought to be so decided, that no fluctuation of opinion, as to its meaning, ought to be suffered to exist; he would, therefore, vote for the amendment.

Mr. *Sturges Bourne* observed, that the printing of amendments was only a practice of modern terms. It was too much to say, that the consideration of the amendments ought to be postponed in order to adopt the novel course of printing the whole bill with the amendments of the Lords. It surely could not be difficult to alter the latter part of the clause, so as to make it grammatical.

Mr. *Ponsonby* observed, if the printing of amendments was a modern practice, he believed the returning a bill of no great length, with no fewer than fifty-five amendments, was a practice never known before the present day. He did not believe that on the other side of the House there was at that moment one man who would not in his conscience be better pleased, if the House were to adopt the course proposed by his hon. and learned friend. Surely there was no pressing necessity for this law; and having already obtained the suspension of the Habeas Corpus act, they might wait a little while, that the House might give the bill that attention which a sense of its own dignity required.

Mr. *Canning* thought the insertion of the words "to command," in place of the word "commanding," would obviate every objection.

Sir *M. W. Ridley* saw no necessity for hurrying on this measure with such undue haste, especially when he called to recollection what was now taking place in another part of the country, alleged to have been in a disturbed state, namely, Manchester, where persons were committed under the 5th Charles 2d, which prohibits meetings for the purpose of petition-

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ing to alter any thing by law established, without the consent of threemagistrates, on a requisition signed by twenty householders, under the penalty of 100*l*.

Mr. *Bathurst* declared, that when he stated the amendments to be generally immaterial, he did so at first view. On subsequent consideration, he found that some of them were liable to misconstruction; but these could be explained without waiting for a reprint of the bill.

The House divided:

For the adjournment.....31

Against it 77

List of the Minority.

Abercrombie, hon. J.	Lyttelton, hon. W.
Atherley, Arthur	Martin, Henry
Babington, Thomas	Martin, John
Barnett, James	Newport, sir John
Bennet, hon. H. G.	North, Dudley
Brand, hon. Thos.	Ossulston, lord
Brougham, Henry	Piggott, sir A.
Burroughs, sir W.	Ponsonby, rt. hon. G.
Calcraft, John	Prittie, hon. F. A.
Carter, John	Scudamore, R. P.
Cavendish, lord J.	Sefton, earl of
Cochrane, lord	Sharp, R.
Curwen, J. C.	Teed, John
Fergusson, sir R. C.	Wilberforce, Wm.
Fitzroy, lord John	TELLERS.
Folkestone, visc.	Ridley, sir M. W.
Gordon, R.	Monck, sir Chas.

On the question for agreeing to the amendment on the clause, declaring it lawful to disperse meetings held under any notice "which shall express or purport that any matter, by law established may be altered, otherwise than by the authority of the King, Lords, and Commons, in Parliament assembled," to which the Lords had added, "or to such effect,"

Lord *Folkestone* observed, that this was an amendment of a most sweeping nature, as it left to the interpretation of a magistrate, not only whether a notice purported the alteration of the constitution, but whether it was "to such effect." They had lately heard of a requisition which had been sent to the mayor of Bristol to convene a meeting for the purpose of petitioning for parliamentary reform, the mayor had objected to such a meeting, because he conceived that under reform was meant rebellion, and he was supported in this construction by many reverend and learned persons: and there were few pulpits in Bristol, from which the Sunday before the meeting exhortations were not put forth that people should not attend the meeting, because rebellion was the object. They

had heard also of a requisition to the sheriff of Cornwall, signed by some of the most respectable gentlemen of that county, and the sheriff had refused to call the meeting, because he was persuaded it could mean nothing less than the overthrow of the constitution. When they knew that such a construction had been put upon the most innocent requisitions by some magistrates, it was too much to give them a right to interfere with meetings called by others, by words so sweeping as those introduced by the Lords amendment, and to dissolve any meeting, persons disobeying their commands being subject to the penalty of death. He should propose therefore to amend the Lords amendment, by leaving out the words "or to such effect,"

Mr. *Ponsonby* said, he had objected to the clause as it at first stood, but it was now rendered doubly objectionable by the Lords amendments. The magistrates would now have the power of dissolving meetings not only in consequence of words which tend to the subversion of the government, but for words which have "such effect." It was surely not fit that parliament should give a discretionary power under words so extensive and vague to a single magistrate; for if such a clause were passed, he could hardly conceive that any political discussion could take place, or that any public meeting could be held.

The *Chancellor of the Exchequer* said, that if the right hon. gentleman had attended to the place where the amendment was introduced, he would have perceived, that it was not open to the objections he had made. The right hon. gentleman was inaccurate in the supposition, that the amendment alluded to words spoken at a public meeting, as it only referred to the words in a written or a printed notice, which of course would be the subject of more mature consideration than words spoken at any meeting could be. Neither did the amendment refer to notices which shall tend to stir up the people to hatred or contempt of the government, &c.; but merely to notices purporting that any matter of law can be altered except by authority of parliament, to which the Lords had added, "or to such effect." The amendment had undoubtedly extended the sense of the clause, to prevent the possibility of notices impeaching the authority of parliament even though they might not do it in a direct manner.

Mr. *Ponsonby* observed, that the looseness of the expression "to such effect"

was objectionable in a penal law, and a law so highly penal, in which the utmost attention should be given that the offences created should be as accurately described as possible.

Lord *Cochrane* wished to know whether the words government and constitution, in the clause before the House, were synonymous, or whether it was penal to bring his majesty's ministers into contempt? If that were the case, he thought the gentlemen opposite him would fall under the penalties of the law, for no persons laboured so incessantly and effectually to bring the government into contempt as they did. He assured the House, that he had that morning given his undivided attention to the amendments as they were printed, and he could not yet understand in what places they were introduced. He implored the House therefore, if it wished to stand well with the people—if it regarded the good opinion of the country—not to pass such a measure in so indecent a hurry, and enact laws in so objectionable a form. If this bill passed into an act, and if, enforcing it, blood should be spilt, or murder committed, a heavy responsibility would lie on the heads of ministers. They might be accused of being accessory to the crime which their vague, tyrannical, and, indefinite laws, hurried with such indecency through the House might occasion.

Mr. *Abercrombie* objected to the amendment, as being capable of dangerous constructions. A meeting called for the purpose of petitioning for reform might by some magistrates be thought to have "the effect" of bringing the government and constitution into contempt, or of overturning the legal authorities.

Mr. *Bathurst* said, the Lords had, by a previous amendment, substituted the word "express" for the word "purport." Some word of larger extent was therefore required to take in notices, which might not in an open, but in an indirect way, impeach the authority of parliament. It was to be observed, that it was much more likely that the notices which had for their object meetings to impeach the authority of parliament to enact laws, would be given in an implied, rather than an open manner. But was it to be supposed for a moment that a meeting for the purpose of petitioning respecting parliamentary reform, or even to draw up resolutions (though he did not see how such resolutions could be framed without involving a petition to the King, or one of the Houses of Parliament)

would come within the clause. What the ultimate effect of parliamentary reform might be, was another question. But suppose notice was given that any question should be discussed, not in words expressing that the power should be taken out of the hands of the parliament; as for instance, whether the time was ripe for the people to take the government into their own hands, it would require the words in the clause to comprehend such a notice. He acknowledged, that if the clause had stood as it originally had stood, viz. with the word "purport," he should not have objected to it; but the intention of the Lords amendment evidently was to prevent notices being issued, which, though not in words but in meaning and intent, impeached the authority of parliament.

Sir *J. Newport* said, that the Lords had not struck out the word "purport," but had added the word "express" to it, so that they had given it all the latitude which could fairly be contended for, even by those who approved of the clause. They had, however, added the words "to such effect," which in effect would give the power to magistrates to prevent meetings at all. There were very few populous places, where one justice of peace might not be found to disapprove of any meeting of the people. This was not merely his theory; there was an hon. and very respectable member of the House, who had said, on a former night, alluding to the conduct of the magistrates of Glasgow, that he thought no popular meetings at all should be held at this time. It was utterly useless to introduce the words "to such effect," after the word "purport," unless it were intended to countenance the supposition, on the part of magistrates, that no meeting should be held for any political purpose whatsoever.

Mr. *Plunkett* said, that he concurred with his right hon. friend in thinking, that the amendment of the Lords was highly improper. If the word "purport" implied all which "such effect" could convey, the latter words were useless, and if useless, were pernicious. For if words were introduced to express notices which had been already sufficiently provided for, officious persons, or persons of heated imaginations, might be found, who might say, that something farther was meant than the first words could be construed to signify. He was friendly to the measure before the House. Though he was not present when it was first introduced, he

should not now shrink from the responsibility of supporting it; but when penalties such as those inflicted by the bill before them were introduced, it was the duty of the House to see that they were involved in no ambiguity. Such was the latitude, laxity, and unmeaningness of the words introduced by the lords, that he was compelled to object to it. He could not consent to allow any magistrate to act under a discretion so wide and unlimited.

Mr. *W. Elliot* also objected to the amendment of the lords, as entirely unnecessary, and tending rather to impede than facilitate the execution of the law.

Mr. *Wetherell* said, the words introduced by the lords were nearly synonymous to those which before stood in the clause; but he saw no objection to their remaining, as they were words usually inserted in legal instruments.

Mr. *Brougham* said, the arguments against the Lords amendment remained unanswered. The insertion was useless; and if useless, pernicious; and it remained to be shown, that the word "purport," meant something less than "to such effect." A right hon. gentleman had put a case:—If a meeting were called for the purpose of discussing, whether the people should take the government into their own hands, would such a notice have been comprehended in the original words of the clause? Most certainly it would. It would be a proposition to alter, not any thing, but every thing, without the authority of parliament. Did the right hon. gentleman seriously mean to say, that a proposition for the people to take the government into their own hands, and consequently out of the hands of the parliament, did not purport—nay, did not even strictly express, an alteration of the law without the authority of King, Lords, and Commons? The reason why he objected to the words "to such effect," was because the word "purport" had been before introduced. He would ask the right hon. gentleman, whether, if a meeting were called to pass resolutions on the distresses of any district, without mentioning petitions to the king or parliament, it would not be taken to come within the clause as it now stood? On the answer to this might depend some of his farther arguments.

Mr. *Bathurst* said, it was not very regular to question any member on his opinion as to the operation of any clause. If the House understood that the word

"purport" would comprehend all notices in substance as well as words, impeaching the authority of parliament, the amendment of the lords would be surplusage; and if so, he acknowledged it would be mischievous.

The motion for leaving out the words "to such effect" was then agreed to, and the amendment thus amended was agreed to.

The clause added by the Lords to the bill, referring to public meetings held within a mile of Westminster-hall, was then read; viz.

"And whereas it is highly inexpedient that public meetings or assemblies should be held near the houses of parliament, or near his majesty's courts of justice in Westminster-hall, on such days as are hereinafter mentioned; be it therefore enacted, and it is hereby enacted, that it shall not be lawful for any person or persons to convene or call together, or to give any notice for convening or calling together any meeting of persons, consisting of more than fifty persons, or for any number of persons exceeding fifty, to meet in any street, square, or open place, in the city or liberties of Westminster, or county of Middlesex, within the distance of one mile from the gate of Westminster-hall, save and except such parts of the parish of St. Paul, Covent-garden, as are within the said distance, for the purpose, or on the pretext of considering of or preparing any petition, complaint, remonstrance, declaration, or other address to the King, or to his royal highness the Prince Regent, or to both Houses or either House of Parliament, for alteration of matters in church or state, on any day in which the two Houses or either House of Parliament shall meet and sit, or shall be summoned or adjourned or prorogued to meet or sit; nor on any day on which his majesty's Courts of Chancery, King's-bench, Common Pleas, and Exchequer, or any of them, or any judge of any of them, shall sit in Westminster-hall; any thing hereinbefore contained to the contrary notwithstanding: And that if any meeting or assembly, for the purposes or on the pretexts aforesaid, of any persons, shall be assembled or holden on any such day, contrary to the intent and meaning of this enactment, such meeting or assembly shall be deemed and taken to be an unlawful assembly, by whomsoever or in consequence of what notice soever such

meeting or assembly shall have been holden: provided that nothing in this enactment contained, shall by any construction whatever be deemed or taken to apply to or affect any meeting convened, called, or holden, for the election of members of parliament, or any persons attending such meeting, or to any persons attending upon the business of either House of Parliament, or any of the said courts."

On the question, that the clause be agreed to,

Mr. Curwen said, that he was compelled, though with regret, to give his most strenuous opposition to this clause. He did so, not for the purpose of delay, but that the whole country might see the dangers which threatened their rights. When this measure was introduced, necessity was fixed upon by all parties as the only ground on which it was defensible—those who opposed it denying the existence of the necessity, and those who supported it endeavouring to prove it. As necessity was its justification, all agreed that it should not go beyond it. Any abridgment of the just liberties the people was disclaimed by the defenders of the bill. No proper meeting for petitioning, it was said, would be prevented. All legal meetings would take place as formerly, without hindrance or obstruction. In the Commons House of Parliament, all attempts to interfere with the rights of the people were disclaimed, and the bill had passed without any exclusion of any body of men from their usual places of meeting. The right of petition was sacred, and ought to be protected with peculiar care by the House of Commons; to which, as holding the public purse, and watching over their interests, the people particularly applied for the redress of their grievances, or the maintenance of their rights. The office of the House of Commons, as representing the people, was to support their rights, both against the influence of the Crown and the privileges of the Peers. This clause, prohibiting the people of Westminster from meeting in their usual place to petition, was proposed by the other House of Parliament, and ought to be viewed with jealousy. The smallest attempt to infringe on the right of petitioning, should be met with the most decided opposition by the House of Commons, as aimed against itself. He felt the objection to the clause the more, as its alleged purpose was praise-worthy—the protection of parliament and the

courts of justice from disturbance or outrage. He had heard of nothing that could make out to his satisfaction the necessity of such a provision. The jealousy of the House ought to be the more alive upon this subject, on account of the amendment coming to them from the other House. No evidence of its necessity had been produced; and they would be justified on no constitutional principle in legislating to this effect, one iota beyond the dictates of necessity. No disturbance had taken place in Palace-yard, at any public meeting, which could inspire the slightest alarm. He often heard innovation deprecated, but he had observed, for some time, that every innovation that was made upon the constitution, was some infringement of the rights of the people. The danger, it appeared to him, was rather against than from the people. It was, however, often argued, as if nothing was to be apprehended, except from popular violence. Was there, then, no danger from the extension of the prerogative, or from the influence of the Crown, which had been quadrupled within the last thirty years? The present clause appeared to him to be an unjust and uncalled-for invasion of a right hitherto exercised by the inhabitants of Westminster, and, with this view, he should certainly take the sense of the House upon it.

The Hon. J. W. Ward declared, that he could not see that such importance belonged to this proposition as the last speaker laboured to attach to it. If it were the object of the clause to prevent those inflammatory or insolent, or foolish discussions which generally prevailed at these Westminster meetings—if it were desired to put an end to these offensive, and often long and dull speeches, so pregnant, however, with libellous attacks upon the principles of the constitution and upon the character of that House, which were usually heard at those meetings, he could understand the motives of the opposition the House had heard:—if it were intended to interfere with the right of petition, or to prohibit the electors of Westminster from being entertained with those insulting experiments upon the patience of that House, there might be some alarm for the enjoyment of their favourite privileges; for a practice had prevailed at those meetings which was equally new in the history of this country, and inconsistent with the dignity of parliament, as that practice involved a system of detraction

and contumely upon the reputation of that House. Heretofore it was the principle of popular leaders to raise a clamour against particular measures; but the uniform object of those who usually took the lead at these Westminster meetings was to depreciate, by every means in their power, the proceedings and character of that House, to point it out, indeed, as the great grievance which ought to be removed. It was indisputable that the harangues of the leaders of those meetings were mainly directed to excite hatred and contempt against that assembly. The people were not immediately called upon to put an end to the existence of that assembly; but that call was perhaps reserved for the eve of the grand reform [Hear, hear!]. But it was the duty of parliament to guard the people from such acts of outrage as the system of their leaders had an obvious tendency to provoke. For the sake of the people themselves, he called upon the House to accede to the clause under consideration; for if they should be guilty of that misconduct to which the system of their leaders would prompt them, that House would be a party to the guilt if it rejected the proposed amendment. The meetings of these people, so liable to be misled by those who, it appeared, were but too willing to mislead them, ought to be removed from the place where the great temptation to outrage was convenient. This was the best provision that could be made to protect the deluded people from giving immediate effect to those feelings, to excite which so much mischievous industry was employed. Persuaded that the clause under consideration was approved by the greater part of that House, and that it was also approved by many of those who usually opposed any measure originating with his majesty's ministers, he should vote for its adoption, convinced that it had no tendency to interfere with any constitutional privilege, and that it was calculated to guard against great mischief.

Mr. Brougham said, he was anxious to submit a few plain considerations to the House, before the approbation so confidently anticipated of the majority was declared. It must be conceded to him, he imagined, that there ought to be some limits within which the orders of the House ought to be confined, with regard to the number and the nature of the amendments which the Lords might pass upon a bill originating in that House; it

being supposed that the lords established no limits to themselves. For what could be more inconvenient than that the Lords should, by the addition or substitution of new clauses, alter the whole character of the proceeding, and send back to them, not an amended, but an entirely new bill? The amendment in question did not even apply to the title of the bill, which was "an act for the more effectually preventing seditious meetings and assemblies." Here, then, they had legislated on a subject not before them, a subject to which the bill had no reference; and whilst they professed to be legislating on one particular description of meeting, had legislated on a principle affecting all assemblies, however, regularly or legally convened. Why was not this made the subject of a separate bill? But another objection was, that this was not a public, but a local enactment; a provision affecting only the people of Westminster. Now, in all cases of private bills, numberless guards were established for the protection of personal rights and property. Not the most puny right, not a single penny, could be taken from any citizen of Westminster by an act of the legislature, without inviting his scrutiny and opposition, and without passing through a variety of stages. He would ask, was this fair dealing on the part of the lords, either towards the people of Westminster, or towards that House? To what an extent did not the House always carry their jealousy upon the least alteration attempted by the other House with regard to the provisions of a money bill? Would they now, then, when an attempt was made of a different kind, but for which he believed no precedent could be found, bow to the usurpation, and surrender their privileges to the Lords? As to the nature of the proceedings which took place at the meetings alluded to, this was not a proper opportunity for considering them; but let them be what they might, a sufficient power for repressing the evil already existed, in the suspension of the Habeas Corpus act and the trial by jury, as well as by the other provisions of the bill before them. If this farther enactment was necessary, it ought to be brought forward as a distinct and substantive measure. It would then be canvassed and discussed upon its own independent merits. There was no instance of an amendment so foreign to the whole scope and purpose of the bill on which it was engrafted. Could it be said that time

pressed, and that therefore it was necessary to pass it in this irregular form? What reason was there for entertaining alarm at the possibility of an immediate meeting, when they were about to adjourn for a fortnight, during which period none of the courts would sit in Westminster-hall? Practically speaking, no inconvenience or interruption had ever been created to the proceedings of parliament or the administration of justice in the courts, by these meetings in Palace-yard. Expressions might have been used ungrateful to the ears of hon. gentlemen, and perhaps improper in themselves; but the objection to which the enactment referred, was not to the sentiments, but to the proximity of the place in which they were uttered. The mention made of the courts, in particular, excited his jealousy, for if this was the *bona fide* intention of the measure—if its object was chiefly to secure the free and dignified administration of the laws, why was the security confined to a few supreme courts in Westminster-hall? Why not extend it to the courts sitting in vacation at Guildhall, in Lincoln's-inn, the Old Bailey, and Doctors-Commons. These were all situated in the most populous parts of the metropolis, and the most exposed to the contagion of popular phrensy and delusion. Palace-yard was much farther distant from the courts in Westminster-hall, than the place of meeting in the city from those in Guildhall; which was, in fact, within the same gate, and under the same roof. The clause besides, appeared to him to be most clumsily drawn, considering the high authority from which it proceeded. He had never seen one so ill calculated to execute its own purpose. In the first place, it limited the number to 50 persons, as if any public notice was ever published in Westminster for the purpose of calling together that number of inhabitants, and exempting a meeting composed of 49, whilst it applied in all its rigour to the number of 51. Another piece of nonsense was the insertion of the word "declaration" after the words "petition, complaint, remonstrance," and before "or other address to the king." But the clause still left a loop-hole from which a public meeting might escape, if it should be called to consider of the distresses of the nation. He apprehended, if called for such a purpose it would not be within the meaning of this prohibition. It might be supposed that the clause would be the more acceptable to him on this account;

but he opposed it on the principle, that it was inconsistent with the dignity of their own character and deliberative capacity. He was the more strongly inclined to condemn it for its inefficacy, because, notwithstanding the blunders with which it swarmed, it would at least indicate the disposition, if it did not manifest the ability, to injure. He conjured the House to pause before they committed an abdication of their own functions and not to suffer themselves to be taken in (he could call it nothing else), by the expressions relative to the courts. There was, perhaps, once a time when they were in jeopardy from the conduct of a profligate man, whom persecution alone could have lifted into importance. What was the conduct at that period, of the venerable judge who then presided in the court of King's-bench? When Mr. Wilkes brought his tumultuous assembly into Westminster-hall, lord Mansfield did not apply to parliament for assistance, but trusted to the efficacy of those laws of which he was so faithful an administrator. When the day appointed for the trial arrived, universal agitations prevailed with respect to the result. Westminster-hall, and its avenues, were crowded by an overwhelming mob, of which we had now no examples. Lord Mansfield saw this, and instantly made up his mind. He ordered the doors and windows of the court to be thrown open, so that the whole of the vast multitude might see and hear what was going forward. In one instant a dead calm reigned over that tumultuous assembly, and the chief justice then delivered that wonderful address, which might be compared with the most noble productions of ancient eloquence. He told them, that all their clamour and threats were to him but idle air; that he valued only that popularity which accorded with the satisfaction of his own conscience; and that even in the last extremity, if his life should be sacrificed to their fury, it would be some consolation to him to think that such an outrage might have the good effect of stunning them into sobriety. This was the conduct and language of a man who might confidently appeal, not as the phrase now was, to impartial posterity, but to his own contemporaries, even when most deluded and most infuriated.

Mr. Canning rose and said:—

There are few occasions, Sir, on which by a little forethought and meditation, one may not in some degree presume the

course of argument likely to be followed in this House on any questions brought before us for discussion. I do not mean to say, that it is within the scope of any one man's imagination to anticipate all the variety of illustration with which wisdom may illustrate, or genius may embellish, every subject, however ordinary, or hack-nied, or dry; but the most prominent arguments—the general tenour of reasoning—may usually be imagined beforehand. On the present occasion, however, I must confess, that my anticipations have been completely disappointed. Many obvious arguments which I expected to hear repeated and enforced in this night's debate have been omitted, and most of those which were threatened apparently forgotten; but in their room topics have been introduced so wholly novel and unexpected, that if their force were equal to their ingenuity, I must have abandoned my view of the subject before us in despair.

The hon. member (Mr. Curwen) who spoke from the other side of the House, and who appears to see farther than any one else into the business of the clause, has described it as a direct infringement upon the rights and privileges of this House,—an infringement not merely formal and fortuitous, such as that, Sir, which you pointed out in the first amendment on the bill, and which we, under your authority, instantly rejected,—but originating in a deep design of the other House of Parliament to steal a march upon the House of Commons, to usurp its functions, to annihilate its powers, and to legislate alone for the country! Truly, Sir, this is a very atrocious project on the part of the House of Lords; and happy are we to have among us a statesman perspicuous enough to bring to light so dark and intricate a conspiracy! I derive some hope indeed, and some consolation under this alarm, from the circumstance of this plot not having excited your suspicion, Sir;—alive as I know you to be on all occasions, and as we have seen you this evening, to every thing which can be construed to interfere with the privileges of this House.

As to the objections urged by the hon. and learned gentleman who has just sat down, I must take leave to say, that the hon. and learned gentleman is in error in supposing that the clause under consideration is at all at variance with the object of the bill. In the preamble of the bill, the whole intention and scope

of the measure is described to be this,—to prevent such meetings as are called for (or under pretence of) the purpose of petitioning, from being turned to the purposes of sedition,—to prevent what is in its origin legal, from being perverted to what is unlawful and mischievous. Surely, it is perfectly consistent with the scope of such a bill to engraft upon it such a clause as that now under consideration. The clause is not directed against the disposition of these meetings, but against their liability to be perverted to mischief. This liability is not likely to arise from any circumstance more than from their peculiar locality. It is this circumstance which brings the meetings which are the object of this clause more particularly within the scope and intention of the whole enactment.

It cannot be too often repeated, that it is not the general disposition of the body of the people which parliament calls in question. None of these measures are founded on an assumption of evil disposition in the people: they are founded on the principle that, in times when it is well known that the distresses of the country have produced uneasiness, ferment, and irritation, the passions and the feelings of the people may render them, more easily than at other times, the instruments of designing and seditious men. Will it be said that this rule, though it may be applied to the mass of the people, ought not to be applied to the inhabitants of Westminster?

It may be true, and I believe it is true, that nine-tenths of the people usually assembled in Palace-yard, are perfectly innocent of any illegal purpose; still, are they less liable than other men in these times to be misled by inflammatory demagogues? Suppose that the Spa-fields meeting on the first day of the session had been held in Palace-yard. Suppose that, as in that case, objects of attention had been pointed out to them; and that, instead of rushing to the plunder of gunsmith's shops in the city, they had been excited to turn at once upon the courts of law, and the Houses of Parliament,—upon those courts to whose justice they were rendering themselves amenable,—upon that parliament which was enacting laws to quell this turbulence and sedition.—If so inflamed, and directed to such a course, the mischiefs on that day might have been irreparable. It is not to suppress—not even, in this instance, to discountenance—but simply to remove

the meetings of Westminster to a convenient distance from that spot where great mischief might be most suddenly perpetrated,—mischief at once most fatal in its consequences, and most awful in the atonement which it would demand,—that the clause sent down to us from the Lords has been proposed. This is the real character of the amendment; which does not prevent nor circumscribe the exercise of any legal right, but merely changes the scene of its operations.

Surely the hon. and learned gentleman is not serious when he compares this clause to the case of a private bill, and claims for the parties with whose proceedings it may interfere, the right of being heard by counsel against it! As little can he seriously mean to infer, that the sanctity of courts of justice is a sufficient safeguard against such proceedings.

The hon. and learned gentleman asserts that no instance can be named in which parliament was ever in danger; but did the hon. and learned gentleman never hear of lord George Gordon's riots? or has he so soon forgotten the riots on the discussion of the corn bill? It is true that on this latter occasion there was a mob without a meeting; but it is no less true, that a meeting is a very likely prelude to the proceedings of a mob.

The magnanimity of lord Mansfield has been much extolled by the hon. and learned gentleman, in pronouncing in the court of King's-bench the sentence against Wilkes; when the population of London and Westminster poured down into the avenues of the court. Lord Mansfield, says the hon. and learned gentleman, caused the doors and windows of the court to be thrown open, in order that the multitude might hear him pronounce the sentence. But I think the hon. gentleman forgets one slight circumstance, which, whilst it takes nothing from the praise of heroism and fearlessness with which the hon. and learned gentleman has loaded lord Mansfield, accounts, in some degree, for the harmlessness of the intruders on that occasion. The judgment which lord Mansfield had to pronounce on the outlawry of Mr. Wilkes was in unison with the passions of the mob that surrounded him. The outlawry of Wilkes was reversed. It was, as the hon. and learned gentleman well knows, a day of justice no doubt as far as the court was concerned, but of triumph and gratulation to the mob and their tool.

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And this, Sir, reminds me of one part of the speech of the hon. and learned gentleman which, above every other, excited my surprise, when I consider his extent of reading, his depth of judgment, and his actual accuracy of reasoning. I cannot understand the hon. and learned gentleman's astonishment, though I give him full credit for the disgust he has expressed,—that a character so blasted in all its moral qualities as that of Wilkes, should have become, for a day, the idol of the people of England. When, let me ask the hon. and learned gentleman, was it otherwise? Let him search the history of all times, from the agitations of ancient democracy down to the more sanguinary excesses of modern Jacobinism, and where will he find the man who stimulated popular phrenzy into tumult and sedition, who was himself a blameless character? Let him search the beginnings of those revolutions which have overturned monarchs and states,—let him look amongst the secret incendiaries, the dark plotters of mischief who lurk in base concealment, watchful of their own safety, whilst they urge on the deluded people as their instruments of crime. Is it amongst these Catalinarian conspirators, he would select instances of honourable feelings, of exemplary domestic conduct, of moral worth, and virtue? If so, then indeed might Wilkes be held forth as an exception. But till all history is reversed, and the experience of ages contradicted, Wilkes must be considered not as a solitary phoenix of seditious demagogues, but as a fair specimen of a gregarious tribe,—as

“Knight of the shire who represents them all.”

It is to guard against the evils which such men seek to produce, and which, if unchecked, they are capable of producing, that the whole of the present measures are devised. It is to guard against sudden attacks upon the very temples of justice, and upon this the very cradle and workshop of our laws, that the present clause has been introduced. To this clause, therefore, I give the same support,—and on the same principles, as to the whole of the bill to which it is appended, and to the whole system of measures to which that bill belongs, as calculated to protect the sound and rational liberties of Englishmen, and as believing them in my conscience to be called for by the pressing and peculiar exigencies of the times.

Mr. Brougham said, that the right hon. gentleman was mistaken in what he had

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stated with respect to Mr. Wilkes. Part of the judgment in that gentleman's case was favourable to him, namely, the reversal of the outlawry; but the sending him back to prison was very far from being a popular measure; therefore it was clear that some danger attached to the judge; and yet he threw open the doors and windows of the court.

Mr. Ponsonby was no more disposed than some gentlemen on the other side to defend the whole of Mr. Wilkes's political conduct: but he would venture to say, what in his heart he believed to be true, that Mr. Wilkes did deserve from the people of England the support which he received during a great part of his life. Could those who now heard him forget that Mr. Wilkes had put an end to the practice of general warrants? Could they forget, that Mr. Wilkes, on other occasions, had been the intrepid and successful defender of the constitutional liberties of the country? As to what the right hon. gentleman had said respecting the judgment of the court of King's-bench, he believed, that the judgment for reversing the outlawry was never disapproved of by any of the lawyers of that day, or since; but lord Mansfield was just as right when he passed sentence on the conviction, as when he reversed the outlawry. He also believed, that the great body of the people thought the court of King's-bench had discharged their duty faithfully. The right hon. gentleman, in the course of his speech, had made an allusion to jacobins, and demagogues, and incendiaries, and a great deal of other matter, that had nothing to do with the question. The simple point of inquiry was, had any danger really existed from these meetings? Sir, said Mr. Ponsonby, "I am surprised that none of us ever perceived the danger we were in. I am perfectly astonished that you, Sir, were never aware of this danger. I must conclude, however, that no danger whatever surrounded us, or you would have thought it your business to communicate our alarming situation to this House; and not have left it to the Lords to provide for our safety. What, are we so ignorant of the duties we owe to ourselves that the House of Lords must enact this clause for us, and send it down to us in a moment for our concurrence? I know not, Sir, why the House of Lords are to extend the shield over us for our safety, when we ourselves have not thought our safety in danger. I should be glad to hear any

gentleman on the other side get up, and state a case where the House of Lords have ever sent down a clause of this kind to be debated in one evening. I complain of this clause, Sir, not as an attack on our privileges, in the common and technical sense of the word, such as infringing the power we have over the public purse, or any of those things we justly call our privileges, but I complain of it as being like a new bill, and as being sent down to us to debate at once. I disapprove the connecting the courts of law with the proceedings of parliament. You talk of lord George Gordon and the corn-bill, but in none of those cases were there any meetings. What, then, have they to do with the question? It is idle to state, that the riots on the corn-bill, and in the case of lord George Gordon, can justify the House of Lords in sending down such a bill to us. If all public meetings are liable to abuse, we may as well enact at once that no meetings shall be permitted. Had any of those parliamentary reformers against whom this clause was levelled attacked the peerage? I have never heard that they have meditated the least attack on the House of Lords. It will not be asserted, that their lordships were in danger; neither, Sir, did you consider that we were in danger. I do firmly believe that no danger threatened us, nor is likely to threaten us; and therefore, considering this clause as an unnecessary violation of the liberties of the subject, I feel it my duty to oppose it.

Sir W. Burroughs declared his firm belief of the existence of a treasonable conspiracy against the government and the constitution, by mischievous leaders of the distressed people. No man could doubt this fact who had read the reports. The extent and nature of the danger were fully before us on unquestionable evidence; and every man who regarded the constitution ought to consent to strengthen the hands of government, that we may be defended against the projected mischiefs. He therefore approved of this bill, and those that had passed in connexion with it before he had a seat in that House, though not of the bill for the suspension of the Habeas Corpus; but he was of opinion, that much of the danger was imputable to the neglect of ministers, who, knowing of the deep distress that pervaded the country last Autumn, had not called parliament together at an earlier period.

Mr. Wilberforce said, that having been

prevented by indisposition from attending the progress of the recent measures in that House, he was very anxious to seize that occasion, however late, of expressing his approbation of them, because he thought they were most necessary for the preservation and security of the liberties of the people of England. He well remembered former periods in our history, when similar measures were adopted; but there was one feature in the present crisis, peculiarly malignant, and which stamped the proceedings of certain individuals with peculiar atrocity. It was not sufficient now to attack civil and political liberty, but they attempted to sap the very foundations of our faith, and to scoff at the religion of the land. The most solemn parts of our liturgy were treated with ridicule and contempt; and being turned into profane and disgusting parodies, formed the amusement of the licentious orgies of those whose practices threatened so much danger to the constitution. It was the duty of government, therefore, to do what it had done, with the view of, checking such abhorred designs. He anticipated the happiest results from these measures, the enacting of which, he had no doubt, would terrify the seditious from their evil designs. With regard to the particular clause which they were then discussing, he confessed, if he spoke his feelings honestly, that he thought too much importance had been attached to it on both sides of the House. At the same time, if there were reasonable grounds to suppose, that the mob might be worked upon so as to direct their fury immediately against that House, surely it was desirable that they should not hold their meetings so near. He was therefore induced to acquiesce in its propriety, though not satisfied as to its indispensable necessity.

Lord *Cochrane* said, the House must know, that public meetings were held in the Guildhall of London, and why was more danger to arise to Westminster-hall, than to a court of justice sitting in Guildhall? The courts of justice ought to be expunged from this clause, or Westminster-hall should be omitted. This clause stated that "it should not be lawful for any persons, &c. to meet on any day in which the two Houses, or either of them, should meet and sit, or shall be summoned, or adjourned, or prorogued to meet or sit." Now this, he conceived, must include the whole septennial parliament. [Cries of No, no! only the days of sitting.] However,

his main objection went to the whole of the clause. In the proceedings in Palace-yard there had been no tumult, no outrage, no obstruction, no appearance whatever indicating even so much warmth as had been manifested that night by a right hon. gentleman who had lately returned from an embassy to Lisbon. He believed the House would find, not only that this clause was faulty in these respects, but that there was no necessity whatever for adopting it; and that it was a gross violation of the privileges of the citizens of Westminster.

Mr. *Lyttelton* said, that faulty and exceptionable as he considered the clause to be, he was yet inclined to regard it as necessary, when he considered the great abuses which had lately prevailed at popular assemblies, and especially at those meetings which were held in Palace-yard. He could wish, however, that it were made a temporary measure, as he did not see why they should presume there would be a perpetual exception of the people of Westminster from that general good order to which the people of England were expected to return. The other parts of the bill, relating to public meetings, were intended to be temporary, and if the present clause were limited in duration in a similar manner, he, for one, should assent to it. With that view he would beg leave to move, as an amendment, That the clause should continue in operation only until the 1st of July 1818.

The House then divided: For the Amendment, 34; Against it, 113.

List of the Minority.

Abercrombie, hon. J.	Macdonald, J.
Atherley, Arthur	Monck, sir C.
Astell, W.	Moore, Peter
Babington, Thos.	Newport, sir John
Barnett, J.	North, Dudley
Birch, Jos.	Ossulston, lord
Brand, hon. T.	Piggott, sir A.
Brougham, H.	Ponsonby, rt. hon. G.
Baring, sir T.	Portman, E. B.
Calcraft, John	Ridley, sir M. W.
Carter, John	Russell, lord G. W.
Cavendish, lord J.	Russell, R. G.
Cochrane, lord	Scudamore, R. P.
Curwen, J. C.	Sefton, earl of
Evelyn, L.	Sharp, Richard
Fergusson, sir R. C.	Teed, John
Folkestone, visc.	Wilkins, Walter
Hammersley, Hugh	TELLERS.
Hill, lord A.	Bennet, hon. H. G.
Leader, Wm.	Lyttelton, hon. W.
Master, J.	

A second division then took place upon

the clause itself: for it, 113; against it 30. A conference was then appointed with the Lords to-morrow, to procure their assent to the alteration made to the amendments.

HOUSE OF COMMONS.

Monday, March 31.

ADJOURNMENT.] The Chancellor of the Exchequer moved, that the House at its rising should adjourn till Monday se'nnight.

Mr. *Ponsonby* could not avoid observing, that the House was now separating after the royal assent had been given to the last of a series of coercive measures—measures which, it was true, were rendered necessary by the public distress, which had produced the immediate cause for them; but parliament was about to adjourn without having done any thing but enact those coercive measures. He hoped therefore, that before the House met again his majesty's ministers would have taken some step towards the alleviation of those distresses. He did expect much from the exertions of the committee that was sitting; and he hoped that, on the return of the House, his majesty's ministers, and the committee together, would be able to state that something had been done. He should not have objected to a longer adjournment if such a hope were held out; and even if it were not, the state of the Speaker's health would prevent him from opposing the motion.

Mr. *Canning* trusted that the right hon. gentleman would not be disappointed in his expectation as to the attention which the committee and his majesty's ministers would bestow on the subject before them; but if the right hon. gentleman laid in his claim for a sudden and complete removal of all the distress of the country, he claimed what it was beyond the reach of ministers to effect. In making such a demand on the limited powers of the committee, he feared the right hon. gentleman's speech could only tend to excite or increase the public discontent. He was certain there would be no want of attention on the part of the committee, and he hoped that some plan for practical relief, to a certain extent, might be found; but he should be sorry to excite such exaggerated expectations as the right hon. gentleman had held out, of the removal of evils which it was beyond the power of human wisdom to prevent, or human legislation to remove.

Mr. *Ponsonby* expected no complete or

sudden removal of the evils alluded to; but, hitherto, no step had been taken.

Mr. *Brougham* complained, that the right hon. gentleman had, in his usual way, not only imputed to his right hon. friend what he did not say, but motives by which he never could have been actuated. He put it to the House, whether a more temperate address had ever been made within those walls. His right hon. friend had only expressed a hope that something would be done to alleviate the distress of the people. For his part, he was not so sanguine as to the labours of the committee as his right hon. friend: for he well recollected, that the appointment of the committee was not conceded as a boon by ministers, but extorted in consequence of a notice given from an hon. friend of his, that such a committee would be moved for. He must say one word, too, on a disappointment of another kind, which he foresaw must occur. He was afraid, after all the pains that had been taken to prevent the people of Westminster from meeting, that if the House expected no meetings would take place within a mile, they would be grievously disappointed. For in the hurry in which the bill was passed, it had entirely escaped the notice of ministers, that there were two flaws that rendered the bill altogether nugatory. The first was, that a meeting might be held in Palace-yard or elsewhere, for the purpose of addressing the Prince Regent or the Crown, for the removal of his majesty's ministers: because, by the clause in the bill, the meetings were prohibited from considering the alteration of any thing in church or state; but the removal of ministers was not any alteration in church or state. In the next place, the object of the bill was, to protect Parliament from the vicinity of the Westminster meetings, and they were not to be held within a mile of the door of Westminster-hall; but there was nothing to prevent a meeting in the hall itself; and one of the largest meetings he ever knew had been held within that building: so that all the citizens of Westminster might, for the consideration of any subject whatever, meet in Westminster-hall, within a pistol shot of Parliament.

Mr. *Bathurst* believed the courts of justice had the power of preventing meetings in Westminster-hall during the time they were employed there; at all events, Mr. Fox had on one occasion submitted to their authority on such an occasion.

Notwithstanding the defects of the bill, which were no secret to ministers, he deemed it a salutary measure. It was true, that the prevailing distress was the cause of the measure, for that distress had laid the people open to the arts of designing men. It was impossible to hope that any measures could entirely remove that distress; but every exertion would be made with the hope of alleviating it.

Mr. *Curwen* said, that the country did expect much from the labours of the committee. He hoped something would be done to excite the hopes of the people, and to retrieve the character of the House.

Mr. *Ponsonby* was confident of the propriety of his own motives, and should treat the insinuations against them with perfect contempt, from whatever quarter they came.

Sir *J. Newport* said, that the language of Mr. Canning was most dangerous, as being calculated to produce despondency, when the spirits of the people ought to be kept up. If ever there was a period where the people had exhibited the most patient endurance under every calamity, it was the present. If ever they deserved an alleviation of their sufferings, it was at this moment. Till that alleviation was effected the least ministers could do was to hold out an expectation that something would be effected by their efforts. Certain it was, that the distress of the nation would not be relieved by high-sounding words or coercive measures.

The motion was agreed to, and the House adjourned till Monday se'nnight, the 14th of April.

HOUSE OF COMMONS.

Monday, April 14.

INDISPOSITION OF THE SPEAKER.]

The House having this day met, pursuant to adjournment, Mr. *Dyson*, the deputy clerk, stated, that it was with the deepest regret he was under the painful necessity of informing the House that he had that morning received a letter from the Speaker dated from Kidbroke, his seat in Sussex, in which the right hon. gentleman regretted he was unable to attend the House in consequence of severe indisposition. With the permission of the House he would read the letter [loud cries of Hear! hear!]. The letter stated the Speaker's wish, that the House should be informed that it was impossible for him to attend his duty that day, and his sincere regret at the inter-

ruption which would thereby be occasioned to the public business. He trusted, however, that his health would, in the course of the week be so far established as to enable him to resume his office on Monday next.

The *Chancellor of the Exchequer* regretted the painful circumstance which rendered it necessary for him to make the motion he was now to submit to the House. As that motion, however, would afford the House an opportunity of showing its respect for their valuable and excellent Speaker, he had no doubt it would be unanimously adopted. Of the important duties, both public and private, which the individual who at any time was called to fill that chair had to perform, and the qualifications necessary to a proper discharge of these, the House had no occasion to be reminded. Never had an individual performed those duties with more honour to himself, and more advantage to the House and to the public than the present Speaker had done. Those who had witnessed the period during which he had presided in the House, could not but admire and esteem him for the correct and accurate knowledge of parliamentary forms which he had uniformly shown, his indefatigable attention to the duties of his office, and his strict impartiality. Among his last attendances in that House, he had suggested a measure for regulating the printed votes, which had met their cordial approbation, and would be productive of great advantage. No doubt some interruption in the public business must be occasioned by this painful occurrence, but he was confident the House would see the propriety of an adjournment. The Speaker had stated his expectation of being able by Monday next to resume the chair. Happy indeed should he be, were this the case, but he was afraid this expectation was too sanguine, and was occasioned by the Speaker's anxiety no longer to postpone the public business. He thought, therefore, that the House could not discharge its duty better in the present instance, than by adjourning for two or three days longer than the period mentioned by the Speaker, because by this means the right hon. gentleman would have a further opportunity of re-establishing his health. He would therefore move, that the House at its rising do adjourn to Thursday se'nnight.

Mr. *Ponsonby* heartily concurred in the motion. He fully agreed with the right hon. gentleman in his opinion respecting

their excellent Speaker, and indeed there was but one sentiment in the House on that subject. While he was sorry for the interruption which must necessarily occur in the public business, he could not but express his earnest wishes that the right hon. gentleman, whose present indisposition was matter of regret to them all, had not—from his great anxiety to discharge his duty to the House and the public—continued to sit in the chair when unable to do so from severe bodily distress. The House had often seen him sitting, when it was obvious how painful it was for him to do so, and he (Mr. Ponsonby had on more than one occasion told him of this. Anxious, however, to do his duty, that justly-esteemed individual chose rather to sacrifice personal ease and comfort, than for one moment to protract the business of the House. To this anxiety his present illness might be traced, and the House were therefore bound to see that nothing on their part should be wanting to afford him an opportunity of recovery. He expressed his earnest and heartfelt wishes, that the health of the right hon. gentleman might be soon re-established; and he thought that it was proper that the House should give him all the time they possibly could, as they might, by doing otherwise, hazard a relapse.

Mr. *Grattan* concurred in every word which had been stated by the preceding speakers.

The motion of adjournment to Thursday, the 24th instant, was then put, and agreed to, *nem. con.*

HOUSE OF LORDS.

Wednesday, April 16.

[LORD SIDMOUTH'S CIRCULAR LETTER.] Earl *Grey* moved, that a copy of Lord Sidmouth's Circular Letter to the lord lieutenants of counties, relative the circulation of seditious pamphlets, be laid on the table. To that motion he understood there was no objection. He thought, however, that in order to have full information on the subject, their lordships ought to have before them the Case submitted to the law-officers of the Crown, and the Opinion given upon it, referred to in that letter. There was some doubt, however, as to the propriety of the production of these latter papers, and he would postpone moving for them till another day. The letter and opinion re-

ferred to, he considered as very extraordinary, ad well deserving their lordships notice.

The letter was ordered to be produced.

HOUSE OF LORDS.

Thursday, April 24.

[LORD SIDMOUTH'S CIRCULAR LETTER.] On the motion of earl *Grey*, Lord Sidmouth's Circular Letter to the lord lieutenants was ordered to be printed.

Earl *Grey* then observed, that he understood the noble viscount had on a former evening stated his readiness to produce the opinion of the law officers referred to in the Circular, but objected to the production of the case laid before them. As he was desirous to obtain upon this subject all he could get, he should now move for the opinion. He still thought it would be of great importance to have the case that was referred to the law officers, in order that it might be seen what the nature of the doubt was that had arisen, or what circumstances had induced the noble secretary of state to ask the opinion of the law officers. He should, however, reserve himself until the production of the Opinion with regard to any future motions as to whether he might consider it necessary to move for the case, or whether he should decide upon at once giving notice, so as to bring the whole question into discussion. The noble earl concluded by moving for the Opinion of the law officers, referred to in lord Sidmouth's Circular Letter to the lord lieutenants, which were ordered.

HOUSE OF COMMONS.

Thursday, April 24.

[INDISPOSITION OF THE SPEAKER.] The House being met, pursuant to adjournment,

The *Speaker* addressed the House to the following purport:—"In returning to the chair, I have to express to the House my most grateful acknowledgments for their indulgent consideration during my late indisposition. I beg leave to assure the House that I feel most deeply the favourable acceptance which my humble endeavours to discharge my duty in this chair have experienced from them. With respect to the arrear of business which has been occasioned by the late unfortunate interruption, I have to propose to

the House, first, that all committees should be revived; and, secondly, to extend the time for receiving the reports of private bills, from Monday, the 12th of May to another week; namely, to Monday the 19th of May. As to public business, the course will be, at the proper hour, for the clerk to read over the dropped orders and notices; of which the House will dispose as it may suit their own convenience."

The question was then put, That the time for receiving the reports of private bills be extended to the 19th of May, and agreed to.

PETITIONS RELATING TO REFORM, &c.] Mr. *Bennet* presented a petition from the traders, manufacturers, and mechanics of Wolverhampton, praying for a diminution of the present enormous rate of taxation, and a reduction of the expenditure. It was signed by upwards of 5,000 individuals, and stated, that, in that district, many had been reduced to extreme poverty, and others had actually perished for want of food. Perhaps in no district had the pressure of public calamity been more severely felt; for to such a miserable situation were the petitioners reduced, that they actually implored the House to afford them the means of leaving the country, and finding employment in some more favourable realm, where they might find employment different from that suggested by a noble lord whom he did not now see in his place, viz. digging holes in the earth, and filling them up again.

Mr. *E. Littleton* said, he was informed by letters from some respectable gentlemen near that district, that the petition did not contain the sentiments of the inhabitants of that town, but had been signed by persons in no respect connected with it, and that there was actually a person who was employed to sign it for those who could not write.

Mr. *Bennet* observed, that he never meant to say that it was the petition of any other persons than those who had signed it.

Ordered to lie on the table.

Sir *W. Lemon* presented a petition from Cornwall, complaining of the bills lately passed, and of the conduct of the noble secretary of state for the home department, in neglecting to present in due time, and in mislaying, an address of the county to the Prince Regent, voted in

December last; praying that he would call together his parliament, and recommend to it measures of retrenchment. It stated, that an address had been voted by the county to the Prince Regent, in last December, which was transmitted to the office of lord Sidmouth. No answer was received, nor any intimation that the petition was presented. When inquiry was made into this circumstance of neglect, the high sheriff was answered, that the address had been mislaid, and could not be found. The petitioners complained of this instance of neglect, and prayed for such satisfaction as it might be in the power of the House to grant.

Mr. *Bathurst* rose to explain the seeming neglect complained of in the petition. On the 19th of December it was found, upon inquiry, that the address was mislaid. A letter was written on the 20th of December to the high sheriff, mentioning the circumstance, and asking for an authenticated copy, that it might be presented without delay. Having received no answer from the sheriff, the secretary of state wrote to a private gentleman of the county for an authenticated copy, which was soon received and laid before his royal highness. On the 20th of January the original was found, and was likewise laid before his royal highness. These circumstances should have been stated in the present petition, as they were known to the parties; and if they had been stated, would have removed the grounds of the complaint.

Mr. *Tremayne* acquitted the noble lord at the head of the home department of any neglect in the affair.

Ordered to lie on the table.

REGISTRY OF FREEHOLDS IN LIMERICK.] Sir *J. Newport* presented a Petition from certain inhabitants of the city of Limerick, complaining that they were under the hardship of being obliged to register their freeholds, or be deprived of the privilege of voting at elections of members to that House. It was notorious that the magistrates in that city were completely in the interest of one of the parties, and that even a half hour was refused to those who came to register their freeholds, except they were the friends of that individual whose claims to be elected were sanctioned by the magistracy. The magistrates had no power by law to enforce this registry, but they nevertheless did it, and therefore electors had no alternative but

to do so, or lose their privilege of voting. The petitioners were fully prepared to prove these facts at the bar. The House would at once see that if magistrates were allowed to exercise such arbitrary power, there was a door opened to every violation of the rights of the subject, and he therefore trusted they would not allow such a glaring abuse to pass unnoticed.

Ordered to lie on the table.

ISSUE OF EXCHEQUER BILLS FOR PURPOSES OF LOCAL AND TEMPORARY RELIEF]. The *Chancellor of the Exchequer* rose to call the attention of the House to a motion he intended to submit to their consideration on Monday, and which at this moment was particularly interesting to the country. Aware that the mere notice of that motion, without any introductory remarks, might excite some alarm, he felt himself bound to give a general account of what he intended that day. On Monday next it was his intention to move that in a committee of the whole House, his majesty shall, by a resolution of the committee, be authorized to issue exchequer bills to a certain amount, for the relief of the public distress, on security being given. This motion was intended for the relief of the labouring poor. He should propose, that the money be allotted partly to corporations to enable them to employ labourers in finishing public works, and in this instance security would be required for the repayment of the money in a given time. Other parts of the money would be given to parishes and associated bodies, on securities being given on the parish rates, and also by individuals. It was not meant however, that such money should be employed in what might abstractly be called distress, for the great object his majesty's ministers had in view, was the finding of employment for the poor, which indeed was the most rational and satisfactory way of giving relief. In order to prevent any unnecessary alarm, the sum he meant to propose would be between one and two millions, and he thought this could be no inconvenience to the money market. The right hon. gentleman concluded by giving notice, that he should on Monday move for the House to resolve itself into a committee, to consider of enabling his majesty to authorize the issue of Exchequer Bills to an amount to be limited, for purposes of local and temporary relief, upon due security given; the Prince Regent's recommendation being signified.

The Hon. *W. Lamb* said, he would not enter into the details of the plan, as they were not yet before the House; nor would he attempt to decide upon the effect it would produce on the money-market; but there was one point of view in which it deserved the most serious consideration, and that was, whether it was to be considered as a means of temporary relief, or a substitute for all those other measures which were rendered necessary for remedying the evils which had arisen out of the system under which we had been so long acting. He hoped this plan of the right hon. gentleman was not the only one. He did not deny the propriety of this step, but he would protest against any reliance on its sufficiency. The subject was now pressed upon us by necessity; we saw the calamity under which the country laboured we should not rest satisfied with palliatives, but should go at once to the root of the evil, and endeavour permanently to counteract its malignity, rather than apply temporary remedies.

Mr. *Brougham* professed himself desirous to abstain from all discussion of the measure. He wished, however, that the chancellor of the exchequer would take one thing into consideration before he attempted to carry it through the House. As far as he understood him, his object was to grant an issue of exchequer bills to corporations or associations for the relief of the poor on their securities, recommending them to employ the poor in public works. With respect to bodies corporate he would say nothing, nor would he give any opinion about the propriety of the advance to them. He, however, entreated the chancellor of the exchequer to consider what would be the effect of placing such means of relief, at the disposal of associations of private gentlemen, at the same time requiring from them such securities as may be necessary to protect the public interest. The measure would place those gentlemen in the most delicate and embarrassing situation with regard to their poorer neighbours. As soon as any of the suffering poor began to reflect on their relation to the more wealthy, and saw that they procured no relief from them. Would they not say, "government has placed the means of assistance within your reach, and we are starving, because you are so hard hearted as to refuse your securities for advances that might relieve us, without injury to yourselves?" If they came forward on this remonstrance, they would render them-

selves liable to the process of extent; if they did not so expose their property, they would render every poor unemployed man their personal enemy. He did not deny that this objection might be answered, but he threw it out for the attentive consideration of the right hon. gentleman.

The *Chancellor of the Exchequer* observed, that one object of the plan was, to advance money to associations of individuals, and another to make these advances to public bodies. It was not intended that they should be made to single individuals for any purpose connected with the measure in question. The first object would embrace the support and encouragement of public works under certain limitations, and upon full security for the repayment of the money; the persons furnishing that security to take a counter-security upon the parochial funds.

Mr. *Brougham* said, he had accurately understood the right hon. gentleman. The persons to whom any advance of the public money should be made, would clearly render themselves liable to an extent whilst the parish funds might or might not be solvent.

Mr. *Lyttelton* apprehended, that very great difficulties would present themselves in carrying the proposed measure into effect. In the district with which he was best acquainted, the security of the poor-rates would be no security at all. He thought Monday was too early a day for entering upon the discussion of this question, as it was important to make various inquiries previously in many parts of the country.

Mr. *Ponsonby* said, it appeared that those to whom advances were to be made, were by the proposed measure to become liable to exchequer process, with no indemnity but the poor-rates. He thought some farther delay was absolutely necessary before the House decided on so new and important a subject.

The *Chancellor of the Exchequer* intimated, that he was desirous of laying his statement as early as possible before the House; after which, some future day might be appointed for taking it into consideration.

HOUSE OF COMMONS.

Friday, April 25.

COPPER LOCAL TOKENS.] Mr. *Grenfell* presented a petition from the town of Dudley, against the circulation of local
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copper tokens. The hon. gentleman, in introducing the subject, adverted to the late change, adopted in consequence of the suggestion of the Speaker, in printing the votes of the House, and allowed it generally to be an essential improvement; but he could not help mentioning one inconvenience that resulted from it, namely, that from the necessarily abridged form in which the expedition of printing required them to appear, no abstract of the petitions could be made out. The petitioners complained, that the copper-tokens in circulation in their neighbourhood were not worth half their nominal value. It might be said, that no one was bound to take them unless they chose, and that no inconvenience would result from their currency. This might be the case with individuals who could lie out of their money till they had collected a great quantity to be returned at once to the persons who issued them, and who might thus find it their interest to buy and sell them, but the poor could not engage in this species of traffic, and as their wages were paid in this uncertain medium, they must necessarily be losers. The petitioners concluded by giving it as their opinion, that since government with a liberality worthy of the nation, had issued such a quantity of new silver coinage, the continuance of these local tokens was quite unnecessary, and their use ought to be abolished. They prayed, therefore, that the House would take the subject into their consideration.

Sir *M. W. Ridley* did not see that the inconvenience mentioned by his hon. friend would result from the late improvement in printing the votes of the House. The petitions could not be printed so as to be distributed on the following morning; but if required, they might be printed in two or three days.

The *Speaker* said, the substance of the petitions, or the petitions themselves, might be printed and delivered in the course of two or three days, upon a special motion for that purpose, although their subject only could appear in the votes of the following morning.

Ordered to lie on the table.

LOTTERY.] The House being in a committee of Ways and Means,

The *Chancellor of the Exchequer* rose to propose resolutions for raising a supply to his majesty by way of lottery. As the subject of the lottery had been so lately discussed, he thought it superfluous to

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enter into any farther observations on the subject at present. He would merely, therefore, move, that the commissioners of the treasury be allowed to contract for a number of tickets, not exceeding 60,000, that 10% be charged upon every ticket, and that this sum be paid into the exchequer, without any deduction whatever.

The Hon. Mr. *Lyttelton* professed his intention to abstain from any detailed observations on the principle of the provisions of this measure, which he judged entirely unnecessary, considering the ample discussion which the subject had lately received. He could not let the opportunity slip, however, without entering into some general animadversion, and proposing certain clauses to qualify a measure, the principle of which, though obnoxious, he had no hopes of being able to explode. He would be very brief. In his late remarks he had alluded to the emoluments of those connected with the Irish lottery, who had lost their situations by its abolition. He wished to do justice to those individuals. He held in his hand a letter from a Mr. Thomson, who belonged to the Irish lottery-office, stating his former emoluments, his length of service, and his present remuneration. He stated, that he had been engaged on this establishment for 26 years, that before its abolition it brought him upwards of 400*l.*, and that his emoluments now did not exceed 240*l.* per annum. The hon. gentleman allowed that he fully deserved this remuneration, and thought it but justice to Mr. Thomson, after the allusion made to pensions of the extinct Irish lottery establishments on a former occasion, to state this opinion. The hon. gentleman was likewise free to confess, that he might have proceeded on erroneous information, or at least on an exaggerated statement, in speaking of the dinners given to the commissioners on the days of drawing, and the good spirits into which they were put by the entertainment. He formerly mentioned this circumstance on the authority of a letter, the account of which he believed was not strictly correct. He now came to the resolutions before the House, and would propose, when the bill should be brought in, that the number of tickets should be reduced. When he suggested the reduction of the number of lottery tickets, he believed he was doing no serious injury to the revenue derived from the lottery, as the whole were never sold. He had, indeed, heard, that four-fifths was

the utmost that were generally disposed of. The excessive multiplication of tickets therefore answered no other purpose than the disgraceful multiplication of those misrepresentations and fabrications called lottery puffs. It was in the discretion of the chancellor of the exchequer to reduce the number of tickets as the act merely said that a number not exceeding 60,000 might be contracted for. By reducing the number of tickets much puffing, shabby fiction, and vulgar delusion, would be prevented. He would also propose a clause, that the boys at Christ's Hospital should not be employed in drawing the tickets. This clause was now rendered less necessary, from the laudable resolution of the governors of this charity, by which they prohibited any of the boys from being employed in this office in future. He should not be surprised, however, to hear that the lottery-office people dressed out boys in masquerade to personate the boys of Christ-church. This would surprise him the less, when he recollected that all the newspaper editors, with one honourable exception, for the sake of the considerable profits that the lottery advertisements afforded them, admitted such gross and contemptible fabrications into their columns. The honourable exception to which he alluded was the editor of *The Sheffield Iris*, who refused to disgrace his paper by such trash; and who deserved the more credit, as he not only stood alone in this laudable resolution, but surrendered a considerable source of profit.

The resolutions were then agreed to.

[SALT DUTIES.] Mr. *Calcrafft* rose to bring forward his motion respecting the Salt Duties, of which he had given repeated notices, but the consideration of which a variety of untoward circumstances had hitherto conspired to delay. He was happy to say, that it did not appear to him to be necessary to trouble the House at any great length on the present occasion; for, as far as he could collect the general sentiment from a conversation with a number of persons both within and without doors, there seemed but little difference of opinion on the principle of his proposition. All seemed to concur in the propriety of taking into consideration the great and grievous duties on salt, and of endeavouring to discover some remedy for the inconveniencies and evils which arose from them. Even those who would

perhaps not go so far as to concur with him in voting for the appointment of a committee to consider the subject, grounded their dissent (as far as he was able to understand them), not on any different opinion which they entertained with respect to the principle of such a proceeding, but from the great inconvenience and difficulty, and, as some asserted, from the impossibility, of finding a fair and just commutation for the duties, which, in his opinion, ought to be repealed. If he were to judge of the interest which this question excited in the public mind, from the very extensive and well-informed correspondence to which his notice of it had given rise, he would say, that, as far as his parliamentary experience went, he had never known a subject of such a nature deemed of so much importance; or on which expectation was so eager, and conviction so complete. Among many reasons for regretting the postponement of its consideration, he regretted it on that account. He also much regretted the postponement on another ground. It appeared that the salt duties had fallen short of their usual amount in the last quarter, and this defalcation had been attributed to him as the agitator of the present question. Unquestionably he should much regret, under the existing circumstances of public difficulty, were he instrumental to any serious loss to the revenue; but he rather thought it would be found that it had been occasioned by the conviction impressed on the minds of most people, a conviction which afforded him much gratification, that some amelioration of the present system in this respect had become indispensable. Whatever might be the cause, however, the fact, as exhibited in the public accounts, was, that the salt duties of the last quarter had fallen 80,000*l.* short of the amount of the corresponding quarter of the last year.

With respect to the proposition which he was about to submit to the House, it was founded on the proceeding of 1801. He was then in parliament, and he remembered that the formation of the committee of that period was proposed by the then chancellor of the exchequer of an administration, in which the right hon. gentleman opposite held a conspicuous and important situation. That right hon. gentleman, with the whole House, concurred in the proposition made by the chancellor of the exchequer. For his own part, he never recollected any motion that ap-

peared more generally gratifying than that to which he alluded, made by Mr. Addington, for the appointment of a committee to inquire into the laws relating to the salt duties. It was incumbent, therefore, on those who might oppose the present proposition, to show that the circumstances were different with respect to this tax now and in 1801. He would say one word with respect to an extraordinary misconception that had taken place of his intentions. It had gone forth that he meant to propose in lieu of the salt duties a commutation in the shape of the property tax. He had been told of this rumour by several hon. members. Now, the fact was, that the property tax was the last thing in the world, the revival of which he should ever think of proposing. He could conceive no state of affairs during peace that could tempt him to consent to the renewal of that tax, or of any part of it. He had little doubt that the report of his having it in contemplation to make such a proposition was circulated merely to injure the cause which he had undertaken. So far was he from intending to propose the property tax as a commutation for the salt duties, that he did not mean to suggest to the House any commutation at all. He certainly had it once in his contemplation to recommend a commutation. But he felt that a proposition of that nature would necessarily create so many difficulties in the preliminary step of the proceeding, that he was induced to forego it. He would therefore not propose any commutation whatever to the House. It would be a fit subject for the deliberation of a committee, in which alone it could be fairly and fully considered.

It was a singular fact, that during the necessary, but unfortunate postponement of the present discussion, some of those who were friendly to the cause which he was advocating, had instituted, or rather obtained, an inquiry before the board of trade. This was certainly somewhat singular, when a notice of a motion on the subject had been given by a member of that House. He did not at all mean to say, that this proceeding was intended in hostility to his motion, but certainly it was rather an unusual measure. He hoped, however, that the result of the inquiry had been, to convince the right hon. gentleman, that that which he thought right and deserving of approbation in 1801, was right and deserving of approbation in 1817.

Every body in that House knew, and every body in the country felt, the enormous amount of the tax upon salt. It was, at the present moment, no less than 15s. a bushel. The prime cost of a bushel of salt was 6d. The duty, therefore, as compared with the original value of the article, was as thirty to one. In other words, a hundred pounds worth of salt paid three thousand pounds duty! When the House considered that salt was a raw material—that it was mixed up with the necessities of life—in all that constituted the subsistence of an individual in the humbler walk of society—his butter, his cheese, his bacon, his fish, even his bread (although, certainly, in the last-mentioned article, it formed no very considerable portion of the expense, being only about a farthing in the quarter loaf), they would surely feel the necessity of some consideration of the subject. On that statement alone, the tax must be admitted to be most impolitic and grievous. The direct operation of the tax on the lower and middling orders was very severe. It acted as a kind of income tax on the wages of labour. It might be said by some, that to the labourer this was of no importance, as he would levy it on those who employed him, by increasing his wages. This he denied. It was not the price of the articles of subsistence which regulated the amount of the wages of the labourer. It was the redundant population, the diminished trade, and the consequent competition of labourers, by which it was regulated; and this competition had actually so reduced the amount of wages, that even those who were employed, were unable, in a great degree, to maintain themselves without parochial assistance. It was, therefore, most material to reduce the necessities of life as much as possible, in order to enable the lower classes of the community to procure wholesome and sufficient subsistence. He held in his hand the report which was the result of the appointment of the committee in 1801. He believed the right hon. gentleman opposite was on that committee; and he was sure that the right hon. gentleman would admit that the report was conclusive on the subject. He would read to the House a few short extracts:—The committee stated, “that though, from the shortness of the time which they had occupied in the consideration of the question, they were unable to offer to the House any permanent arrangement with respect to it, they felt

indispensably bound to observe, that all their inquiries tended to impress them with the difficulty, not to say the impossibility, of reconciling the collection of any considerable revenue from a duty on salt, with the advantages to be derived from an unrestrained trade in that article, and an unlimited use of it.” The report then adverted to a passage in a report made by a former committee on the herring fishery, which was to the following effect:—“That the committee could not refrain from stating the very great difficulties and inconveniencies which the fisheries laboured under from the restraints imposed, and ineffectually imposed, for the protection of the revenue derived from the salt duty. The committee referred to the evidence of several fish salesmen, who declared, that it was the constant practice of the trade to pay duty for the salt which they used, as less burthensome than a compliance with those regulations, by an attention to which alone they could obtain the salt duty free.” Could there be a greater absurdity? The legislature had, it appeared, so fettered and clogged their exemptions from the duty with regulations, that the persons engaged in the fisheries chose rather to pay the duty itself, heavy as it was, than incur the difficulties and risk attendant on that compliance with the regulations which was requisite to comprehend them in the exemption. The report proceeded—“No inconsiderable part of the supply of fish intended for the London markets had hitherto been destroyed in consequence of this circumstance.” Throughout the whole report of the committee of 1801, the same sentiment was manifested. The observations which applied to the salt used in curing fish, was applicable to salt used for all other purposes. In agriculture salt was so taxed, that it could not be used; and wherever there was a remission, that remission was clogged by so many regulations, as to render it wholly unavailing. The report of the committee of 1801, after enumerating the advantages which would result from the abolition of the salt duties, “in cheapening the subsistence of the people, in diminishing the expense of the naval and military establishments of the country, in giving encouragement to agriculture, and all the useful arts,” proceeded to observe, “that it might be imprudent suddenly to cut off so large a branch of the revenue, in the midst of an arduous and expensive war; but that, in

their opinion, the salt duties were detrimental to the public interests in a degree far exceeding the benefit derived from the receipt at the Exchequer; and that, as the preceding year (1800) manifested the powerful resources which the country yet possessed, the committee hoped the abolition of the tax might be accomplished."

Such was the conclusion of the committee of 1801, after a full view of the whole subject. All he now asked was, for an inquiry into it. All that he expected, as the result of that inquiry during the present session, was an exposition of the case. He by no means wanted to press on the House, any thing so inconvenient to the public service as the loss of revenue which the immediate repeal of the salt duties must occasion; unless in the committee some acceptable commutation could be pointed out, he was quite aware of the extent of the produce of the duties. Their present annual produce was about 1,500,000*l*. That was certainly a very important sum. But he wished to be allowed to show, that if means could be contrived to part with, at any rate, a portion of the duties, the advantages would amply compensate for the sacrifice. The benefits which the fisheries, the benefits which manufactures, the benefits which commerce, the benefits which agriculture would derive from an abolition or a reduction of the salt duties, were so great, that he really and conscientiously believed, that any measure of that nature would lay the foundation of sources of national prosperity and wealth, that directly, and in their consequences, would infinitely more than repay any temporary diminution which the revenue might experience from its adoption. There was, besides, this farther consideration, that really, after all, the struggles which had been made, and all the inconveniencies which the middle and lower classes had suffered and were suffering, they were entitled to some boon from the hands of the legislature, which would come home to their cottages and their hearts. There was no one who would not feel the benefit of the repeal of the salt duties in his direct expenditure; and, looking at the subject in every point of view, he was persuaded that it would be the most acceptable boon that could be conferred on the people.

The only difficulty he felt in arguing the question was, that he had nothing to argue against. He knew of no single objection that could be made to the propo-

sition, but that the state could not afford to part with so large a portion of its revenue. That was no bar, however, to an inquiry on the subject, in order that the whole case might be thoroughly understood. He could not conceive a single plausible argument against the appointment of a committee, such as that moved for and triumphantly carried by Mr. Addington. There was no change in the circumstances, except, indeed, that he had not the good fortune to be chancellor of the exchequer, and Mr. Addington had. He had been asked that day, if the case would not be prejudiced by its being moved by a member of the opposition? That remark certainly came very late. His reply was, that he hoped not. It was not a political question in any sense of the expression. He had also been asked, why he, who had no immediate interest in the subject—who had unfortunately no mines, no springs, no connexion with the counties principally concerned—should undertake the business? In that view, however, he was the properest person to do so. He could not be suspected of any undue motives. He should derive no advantage from the decision of the legislature, let it be what it might. In the various documents which he had read with reference to this subject, he had happened to meet with a pamphlet, written in 1769 by Mr. Burke, and, like every thing which had proceeded from Mr. Burke's pen, full of information of every kind. In that pamphlet, Mr. Burke, as a consolatory view of the state of this country, compared with the state of France, boasted, that in England the poor could buy salt for two-pence farthing a pound, while, in France, it could not be procured for less than five-pence a pound. It happened very oddly, that this state of things, the existence of which in a rival kingdom Mr. Burke pointed out as affording, by comparison, a cause for exultation in this country, was precisely the existing state in Great Britain at present. The present price of salt in this country was just five-pence a pound. He mentioned this circumstance because it appeared, that even a mind such as that of Mr. Burke's, in the extensive and luminous view which it took of the sources of national prosperity, considered the price of salt as a matter of primary importance to the great mass of a population.

It was a strange fact, that four years after the report of the committee of 1801

was made and circulated, a material increase of the duties on salt took place. This circumstance could not help calling the recollection of the House to the many dormant recommendations on their books, which slept until awakened perhaps by curiosity, and then relapsed into sleep, until some busy and officious hand once more disturbed their slumbers. The reflection, however, that only four years after the solemn declaration of a committee of that House, in hostility to the duties, those duties were actually raised, tended more strongly to convince him, that unless some step were now taken, a farther increase would be proposed whenever an apparent necessity for it should be made out. He hoped, that during the present interval from war, recourse would be had to such a system of policy, as might be calculated to augment our resources, by diminishing those burthens which pressed most heavily on the lower and labouring classes of the community. The salt duties, when first imposed, which was in the reign of William and Mary, were declared to be temporary. The duty was then three halfpence a gallon. Four or five years afterwards, they were increased to three-pence a gallon. It was not until the reign of George the 2d that they were made perpetual. They then got up to eight-pence a gallon, or five shillings a bushel. In the 38th of George the 3d, the duties were increased by Mr. Pitt to ten shillings a bushel. The subject was then much canvassed in the House, and the increase was strenuously opposed by sir William Pulteney. Mr. Pitt himself said, that whenever peace came, the repeal of the tax might be a fit subject for consideration.—[The chancellor of the exchequer, across the table, negatived this assertion.]—Well, that was of no consequence. The increase took place; and in the 45th of George the 3d, four years after, and in the very teeth of the report of the committee of 1801, moved by the chancellor of the exchequer, who characterized the duties as most injurious to the national interests, they were farther increased to fifteen shillings a bushel, at which rate they stood to the present moment.

In addition to the inexpediency of taxing a raw material, which was the worst subject that a finance minister could select for the operation of a duty, impeding as it did the progress of all the manufactures of which that raw material formed a component part—was the consideration of the

great expense attendant on the collection of the salt duties. He understood that in one town in Cheshire there was a little army of excise officers, continually watching the issue of salt from the rock salt-pits. That in itself was a considerable objection to the continuance of the duties. But the most curious and interesting view of the subject was that which related to scientific objects. He was not chemist enough to speak with sufficient explicitness on this point. It could not be denied, however, that if individuals engaged in chemical pursuits were enabled to make a free and untaxed use of salt, they would urge the manufactures with which it was connected to an extent so considerable, as most materially to benefit the public revenue, and increase the public prosperity. It was most unwise to tax these establishments in their infancy, although, when they should arrive at maturity, they might afford, without prejudice to themselves, a most valuable aid to the finances of the country. But on this subject Mr. Parkes, a very able chemist, had published a treatise, half an hour's perusal of which would put hon. members in possession of more information on the subject than if he (Mr. Calcraft) were to talk to them about it from that time to the next morning. With respect to the advantages of salt as a manure, he confessed that having seen but one conclusive experiment of its use on arable land, he had not been able to make up his mind as to its value in tillage. Much higher authorities than he, however, decidedly thought it advantageous. On grass lands it was certainly beneficial; it preserved the hay in such wet summers as the last, and rendered that palatable and nutritious to cattle, which must otherwise have been thrown on the dunghill. In many manufactures, besides those to which he had already adverted, the free use of salt would be highly serviceable. As to the fisheries, no man could entertain any doubt on the subject. It was most preposterous that, situated as we were in an island, surrounded by the sea, we neglected to take advantage of the element which girded us, and suffered foreigners to come on our coasts, and catch the fish, which, after they had cured it in their own harbours, we purchased. So fettered were our fishermen by the regulations connected with the salt duties, that they either abstained from using salt altogether, or paid the duty on it rather than undergo all the annoyance of attend-

ing those regulations. They, therefore, either caught no fish, or were induced to throw the greater part of that which they caught overboard. These were monstrous things. They were not to be tolerated. Revenue was not to be put in competition with the advantages thus abandoned, unless by those who were disposed to exclaim—"Live Revenue! Perish Agriculture! Perish Commerce! Perish the Fisheries! Perish every thing else!" But the fact was, that the revenue would be found eventually to depend on the conservation of all these. If events took the course which in his apprehension they must take, he, in the proposition which he wished to submit to the House, would be laying the foundation of revenue, instead of destroying it; and of a revenue infinitely larger than could be produced by the present grievous and oppressive tax. He was not aware that it was necessary for him to trouble the House with any thing more. If, in the course of the debate, any new matter should be started, he would avail himself of his privilege to reply to it. At present he would content himself with moving, "That a select committee be appointed to inquire into the laws relating to the Salt Duties, and the means of remedying the inconveniences arising therefrom; and to report the same, with their opinion thereupon, from time to time to the House."

Mr. Davenport seconded the motion, declaring that the experience which he had had of them in Cheshire convinced him that no laws stood more in need of revision. If, without any material injury to the revenue, the salt duties could be totally abolished, it would be the best policy that the country could pursue, and would essentially contribute to the welfare of the lower classes of the community. On this subject it appeared to him that there could be but one opinion. The more the subject was investigated, the more it would appear that those duties originated in a blind and narrow-minded policy. Had they never been imposed, an invaluable mass of prosperity might have been created; compared with which, the sum derived from them to the revenue was contemptible. He was aware of the difficulty of making up that deficiency in the revenue which their repeal would occasion. He admitted that he did not think they could at present be wholly repealed. But the subject ought to be fairly investigated by a committee, to ascertain what could

and what could not be done. The salt trade laboured under many hardships and disadvantages. Among them was the use of foreign salt in this country. Many petitions had been presented to government for a prohibition, or at least a protecting duty. Hitherto, however, they had been unattended to. These matters were better managed in other countries. When an application was made by lord Clancarty to the government of the Netherlands, to allow the importation of British salt, it was refused, that government declaring that they were themselves manufacturers of the same material.

The *Chancellor of the Exchequer* assured the House that he should willingly assent to any proposition, the effect of which might be to lay the amplest information on this important subject before the House, if he thought the inquiry would be attended with no practical inconvenience to the public interest; but the hon. gentleman had himself stated, at the outset of his speech, his belief of the fact, that the agitation of this question had already caused a deficiency in the receipt of the revenue amounting to no less than 80,000*l*. This statement was perfectly accurate; a stagnation of the trade had taken place in consequence of the supposed intention on the part of parliament to make some alteration in the existing duties. He was acquainted with one very large dealer, who alone had paid 20,000*l*. less of duties than ordinarily, from the suspension or revocation of his accustomed orders. Under these circumstances, he thought the House would do wisely to suspend any proceeding on the subject. Before the motion could be agreed to, the hon. mover was, in his opinion, bound to show, either that the revenue could dispense with such a sum as the repeal of the salt duties would withdraw from it, or that an adequate substitute could be found for them. Great difficulties always attended any change in the mode of taxation. When a tax had been long imposed, even its evils were borne with greater patience than the less inconveniences of a new impost. The salt duties were as old as the revolution. In the reign of queen Anne, they amounted to 3*s*. 4*d*. a bushel; a considerable sum when the different value of money at that period was considered. In 1730 they were entirely repealed. But so little was the public feeling of that day in hostility to the duties, that although in time of peace, they were renewed three years

after. Considering the alteration in the prices of most articles of consumption, that which in 1779, when Mr. Burke wrote the pamphlet adverted to by the hon. gentleman was sold for two-pence halfpenny, might very fairly in proportion to the rise on other things have risen to five-pence. With respect to the advantages likely to accrue to the fisheries from taking off the duty on salt, he had to answer that a bill was at present before the House to allow rock salt to be used in the curing of fish, without the payment of any duty; and in the opinion of those persons who were likely to be best informed on the subject, this bill would afford all the relief to the fisheries which was wanted. If the House would look into the subject, they would see that several facilities had already been at different times given to the fisheries. It could not certainly be said that the duty on salt used in the internal consumption of the country was at present felt to be peculiarly oppressive. The price of salt was at present 5*d.* a pound, while more than a century ago, in the reign of queen Anne, it was 2½*d.* The former sum was not comparatively more at the present period, than the latter was in the reign of queen Anne. Indulgences were now granted which at that period were not allowed. It had been said that salt might be used as a manure, but on this point there were great differences of opinion. An exemption from duty might perhaps be allowed to salt employed as a manure. He was not sure too that some indulgence might not also be extended to salt applied to the food of cattle. With respect to the benefit which would result to the manufacturers of salt from taking off the duty; he had only to state, that he had the best reason for believing that the manufacturers did not consider that they would be benefited by any such measure. He held a paper in his hands, which contained the sentiments of some of the most considerable salt manufacturers in the kingdom. It was signed by Messrs Broughton and Co. Messrs. Sutton and Co. &c. the principal proprietors of salt works in the county of Chester, and stated, that they understood that a measure was about to be submitted to the House of Commons, by the member for Rochester, for a reduction of the duty on salt, and that they were of opinion that this measure would be injurious to their interests, and disadvantageous to the public treasury as well as to individuals, who would thereby be tempted to embark their

capital in a trade already too much overstocked both with hands and capital for the present consumption. He also thought the preparation of mineral alkali, in the quantity that might thus be procured, would probably much discourage the making of kelp on the coast and islands of Scotland, which formed a considerable part of their support. Under all circumstances, it appeared to him that it would be proper to postpone the consideration of this subject, at least till the effect of the bill before the House for the exemption of rock salt from duty could be ascertained, and therefore he should think it his duty to conclude with moving the previous question.

Mr. *Tremayne* said, he should cheerfully give his vote in favour of the motion. He could state to the House, that all the persons engaged in fisheries in the West of England, considered the bill now before the House as seriously detrimental to them, and that it would have the effect of driving out of the fisheries a great number of persons at present engaged in them. An hon. member opposite had recommended a rigorous prohibition of foreign salt, but he could not help desiring gentlemen not to make up their minds on this subject, till it should be canvassed in the committee, for it was the opinion of persons engaged in the fisheries that foreign salt was the best for them, and that rock salt would be of no use whatever. If the House should persist in this system of excluding all foreign commodities, they would injure very severely the most of our manufactures.

Mr. *Curwen* rose and said:—

Mr. Speaker;—Hard indeed must the right hon. the chancellor of the exchequer be pressed for arguments to defend this odious and oppressive tax, when he can be induced to offer to the House a representation from a few interested individuals in favour of the continuance of this their monopoly. I verily believe, were the question fairly gone into, there would not be found a single advocate for the salt-tax, with the exception of such as profited by it. These no arguments will convince—no sufferings—no advantage to the public, incite to the relinquishment of their monopoly. Few questions of more vital importance, or more calculated to excite feeling or interest in the public mind, could have been brought before this House. The comforts of a large portion of the community, as well as the future prosperity of the

empire, are involved in one decision. Aply has the subject been treated by my hon. friend—the moment he has selected for bringing the matter forward is peculiarly appropriate—it intimately connects itself with the present distresses of the country, and is closely allied to objects most calculated to administer material relief.

Fully to comprehend the importance of our internal resources, requires that we should have distinctly within our view the existing situation of the continent of Europe. It is most fortunate, therefore, that the able detail of a learned member (Mr. Brougham) on our foreign commerce is so fresh in the memory of the House. The masterly manner in which the causes of our distress were traced by him cannot easily be forgotten. The impolicy of our commercial system seems admitted on all sides; whilst the difficulties attending its correction appears the only argument against going into a committee to seek for the means of redressing them. How far this is wise or politic it is not now for us to inquire. I trust, however, it will not afford a precedent for treating in the same manner what relates to our internal resources. Our domestic policy, which we alone can control, will not, I believe, be found to have been directed with more political wisdom than our external commerce. Whenever a difficulty arose, the remedy has been an act of the legislature, founded on the immediate interest of the party aggrieved, without taking into our consideration the operation of the measure on our commercial relations at large. The failure of our foreign trade renders our internal resources of still more vital consequence. It is most important for us to consider the causes operating on our manufactures: should these be found to arise from circumstances over which we have no control, the only course from which we can hope a remedy is by adopting such measures as can draw forth the internal riches of the country, and thereby call into activity that part of our population which is now employed in eating the bread they do not earn. Too long we have pursued a policy the very reverse of the general order of nature. Instead of viewing those objects which are nearest as most important, we have diminished or overlooked them; whilst we have magnified others at a distance. We shall now be compelled to retrace our steps, and to place our prosperity where alone it can be securely rested.

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In estimating the resources of our own country, it behoves us well to weigh what is passing in Europe. Prohibitions and protecting duties, whilst they have drawn a rampart round us for the exclusion of foreign articles of production, have accelerated the non-importation of our manufactures into the different states of Europe. The changes that will naturally follow from the new character that the continent is about to assume, must most materially operate on the future state of the country. Hence it is important for us well to weigh, in order to determine, the most prudent course for us to pursue.—In order more clearly to explain myself, I must beg the indulgence of the House in saying a few words on this subject, which I conceive to be most materially connected with the matter before us. The operation of the system of exclusion, which we now so severely feel, ought to have been foreseen, and provided for, years before this. We should have been apprized that its failure, when attempted by Buonaparté, proceeded from the inability of the continent at that time to do without our manufactories. The despotism so long exercised in every quarter of Europe had, in a great measure, destroyed commerce and annihilated its manufactures. Trade may aptly be compared to the most timid of animals; when once affrighted it flies to seek a more secure retreat. This happy country alone offered that security. The calamities of Europe gave us the trade of the world. Unfortunately we have contemplated as permanent what we ought to have considered as a temporary advantage. Dearly has it been purchased. What we gained we have spent in fighting the battles of other nations. The exertions we have made, whilst they astonished Europe, confirmed all ranks in a unity of sentiment on the advantages of trade—and predisposed every country on the continent to become manufactural on the first opportunity that was offered them. Can we ought we to blame them! It does not justify the supposition, that it proceeds from hostility to this country. It is only a laudable regard to their own interests. Peace, which has augmented the prosperity of other nations has operated directly the reverse with regard to us. We may date the manufacturing era of this country to have commenced in 1760, and to have been brought to perfection in 50 years. On the continent the birth and perfection of manufac-

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ories will be almost co-equal—they start with all the science and acquirement which we had gained. We are not, therefore, to reckon on our supposed superiority, but at once to view this trade, to a large amount, as escaped from us, and not likely to return.—Viewing the distress this has occasioned to thousands, I cannot but deeply regret it. It would, however, be unbecoming of a great nation to wish to build its own prosperity on the sufferings and privations of other countries. Referring to the transactions of the last century, I cannot help auguring a happy change as likely to take place from the alterations that will result to mankind at large from the new-born spirit of commerce and manufactures—a love of peace will be universally diffused. The riches that will result from this augmented industry will engender a spirit of independence, and give birth to liberty, and be the means of removing those fetters which despotism seems, from the transactions of the last twenty years, to have rivetted more strongly. For the period of seventy years after the revolution we were an agricultural nation, exporting above two millions of grain annually. With this reign commenced a different system, and every thing has been sacrificed to manufactures and commerce. The transition from an agricultural to a manufactural one is easy. Increase of wages, and the flattering hopes of advancement, transfer the service from one to the other with great facility—and with an appearance of increasing prosperity. To retrace our steps is not so easy, and must cost much suffering to many. Luxuries must with thousands be exchanged for a scanty supply of necessaries—many cannot be employed, and must be a consuming weight on the industry of the country. Great as the difficulties are, they must be met—and can only be lessened by availing ourselves of every internal source of wealth. I cannot concur in blaming ministers for not attempting to form commercial alliances—I firmly believe it was out of their power.—When trade is left to itself, which is the greatest favour that can be done it, the spirit and interest of individuals will not fail to push it on as far as it is possible. To obtain favours,—an equivalent must be given. Here the restrictions and monopolies we have established bind up the hands of the government:—we have just seen a notable instance of the effect and influence of monopoly. Where I

blame ministers is, they did not sooner foresee the changes that must happen—that they did not advert to our having created an internal capital of four millions, by an augmented produce of grain—which must in consequence diminish our manufactories, by which it was purchased, to that amount—our demand for grain ceasing, so must their ability to purchase our fabrics.—Trade can exist in no country beyond its surplus labour and productions; and is equally beneficial to the amount of its extent to all. The criterion by which the comparative advantage of any branch of trade is to be judged of, I hold to be the greater or less quantity of labour which was comprised in it. The first object of every state must be to find full employment for its population—as we become less customers to the continent, so will they have less power of taking our manufactures.

In ceasing to manufacture to so great an extent, a large portion of our population must be constrained to relinquish many of the luxuries they enjoyed:—time will, it is to be hoped, reconcile us to this, provided employment can only be found for the whole of our population. The decided bias of our policy in favour of trade and manufactures, during the whole of this reign, has contributed to a great augmentation of population—causing a much larger consumption of food, arising from the advance of wages. Thus the individuals who, whilst employed in agriculture, were supported on the produce of three acres, when their wages were doubled, demanded six. This is strongly demonstrated by the sudden change which took place between the years 1760 and 1766. At the former period we exported two millions of grain—in the course of six years we became an importing country of grain.—Now, Sir, if we suppose a million of people in that period to have been transferred from agriculture to various branches of manufacture, we have a rational solution of this sudden change in our situation. The increase of population for 70 years, from the revolution, did not exceed two millions, whereas the increase of the last fifty years has been five millions. I conceive I am fully warranted in assuming as a fact, that manufactories, from their higher scale of wages, augment population, and the consumption of victual, whilst they have a tendency to decrease the production of food. The result I should draw from this

would be, first, the quality of our food must be changed. Great Britain has consumed perhaps nearly five times as much animal food as any other country in Europe. With decreased earnings this cannot be afforded. It becomes, therefore, a most important object to consider, whether a cheaper diet, and one equally palatable and nutritious, can be found. The next question would be to apply the results that has arisen from our manufacturing system to Europe at large. In Great Britain every fourth individual was a manufacturer—this occasioned us to consume one-fifth more food than would have fed an agricultural population. Supposing the continent to employ but one man in eight in manufactures, it will augment the demand for food one seventh—and this without any reference to an increase of population which with us has advanced above two-thirds in fifty years. Let me ask therefore, is there not the strongest grounds for supposing that Europe will require and be disposed to take from us any surplus food that we may be able to spare them. I humbly conceive the fairest prospects are held out to us, that we may become the great mart of food for Europe—and thus establish an intercourse equally profitable to all parties.

I shall now proceed to show the importance of salt in the fabrication of food—and as a means of calling a large portion of our people into activity. The most profitable source of trade in any country is that which arises out of labour. No trade can so completely answer this description as the fisheries—where two-thirds of the value arises out of labour. Dr. Franklin describes it as a mine from whence every fish that is drawn brings with it a piece of silver. To estimate the riches which might be obtained from the ocean, I would propose to divide the empire into five parts;—Great Britain I should call two; Scotland and Ireland would make four; the fifth would be a line drawn of the breadth of ten miles round our coast, (comprising somewhat more than 2,800 miles). Within this space we should have eighteen millions of acres. This aquatic property, the exclusive inheritance of industry, is capable of being made to produce an income little short of the average of any of the other four quarters of our empire. To this estate belongs very striking and characteristic properties. It is the element to which the prejudices and pride of Englishmen are particularly di-

rected:—it promotes the glory whilst it exempts us from the ravages of war—and if properly attended to, would at all times insure us an abundance of food. The fructification claims nothing from man, but rests in the hands of Providence. It is exempt from those casualties which so frequently defeat the husbandman's hopes. The vicissitudes of seasons do not affect it—it fails not to reward industry. With such a source of riches within the daily view of so large a portion of our population, how have we availed ourselves of it? Will the House credit it when I state, that I do not believe it yields us one million and a half, employing about sixty thousand hands. To what extent might this be carried? Am I too sanguine in supposing a pound an acre might be drawn from our seas; and instead of its employing sixty or seventy thousand, find occupation for half a million of persons?—thus not only adding to our security, but augmenting our riches beyond all other trades that we ever possessed.

Fortunately I have something more substantial than conjecture to offer on this head. On what was founded the power and wealth of Holland? The fishery was the source of her greatness, which made her so formidable a rival. The Dutch are supposed to draw from the sea ten millions of fish, employing one-fifth of their male population. This amounts to about 12s. 6d. per acre, whilst we make but one and sixpence. To reap the full extent of these advantages, the aid of capital might be required, to what amount I will not pretend to say. Could the fostering hand of government be better employed? We have half a million or more of our population unemployed, costing the nation between four and five millions per annum to support them. In order to enable us to carry our fish to foreign markets, it would be good policy to throw any part of this sum in bounties that would hold out a temptation to engage these persons in the fisheries and secure them a livelihood from their own industry. To suffer so large a part of our population to remain unemployed, must be ruin to us. Some means must be devised of calling them into activity. Is there any thing that offers equal facilities as our fisheries? I do not go the whole length with a noble lord, that I would occupy the people in digging holes and filling them up; but I would make any sacrifice for usefully employing them. That the vexations and restrictions imposed by the salt

duties have materially operated to the disadvantage of our fisheries will not be denied; nor can you give that free use of salt that would be requisite, without in a great degree destroying the revenue that is produced from it. This alone would be a powerful argument for a commutation, if there were not other interests that suffer to an enormous amount.

Now, Sir, before I proceed to other branches of this question, let me call the attention of the House to consider the importance of this trade, as contrasted with our foreign commerce and other domestic sources of riches. The average of our exports for the last four years amounts to 38 millions. Admitting half of this to be confined to Europe, and that out of the 19 millions one half of it was lost for ever. That we had ceased to export ten millions of manufactures, I would ask whether there is not the greatest probability that we might indemnify ourselves from our fisheries? How would they stand compared to our staple productions? Iron and coal-mines are supposed to produce fifteen millions each, wool eight millions, and salt about a million. It is difficult to assign any satisfactory reason to account for so enlightened a country as Great Britain shutting her eyes on the destructive effects of a tax which at once cramped her industry, and cut off a general source of food. Salt seems to have been an object of taxation in all countries. In early times the necessaries of life offered the only source on which a revenue could be raised. This is some apology for the commencement of such a tax, but none for its continuance. Justice and good policy have long demanded the repeal of this odious and unjust tax. Woeful experience has fully taught us the advantage of direct taxation, as the most beneficial to all parties. It is no longer necessary to gild the pill to make us swallow it. A proposition to tax the plough would be universally scouted, and destructive of our resources in the bud. After bread, salt is one of the first necessities of life; its use is indispensable. Was it now a question of imposing this tax for the first time, it would be considered as little less preposterous, than if one of those numerous speculators, who used to crowd our doors, were to propose to the chancellor of the exchequer to employ the exhaustless mines of Cumberland and Westmoreland in covering the solar system to tax light and sunshine. If the common sense of mankind, at this time of day, would so re-

volt at such a tax as that on salt, it affords a strong argument of its impolicy and injustice. The ingenuity of man seems to have been opposed to the bounty of Providence, in devising means to cut off and defeat the unbounded source of comfort and riches we possess from our salt mines. Had the mighty stream been left to pursue its own course, it would have diffused industry and comfort over the whole empire. Our insular situation gives great facilities not only to the taking but disposing of the fish. Ireland, above all countries, possesses facilities for carrying on the fishing trade. Here is the point on which you can most materially benefit her, and give activity to her population. The prosecution of this trade is congenial with the habits and feelings of the people; and it would be an easy task for government to call it into activity. I am aware the answer to this will be, admitting the whole that is contended for—where is the market? I answer it thus, from a reference to what has actually taken place—the great and increasing demand for fish in our own market, which is likely still to augment. Formerly the whole of the herrings caught on the Manx coast were exported to the Mediterranean; now they find a home consumption; and ten times more could be sold were they caught and no doubt with encouragement they might be. Is there much doubt that Europe is likely to become a purchaser? If the exchanging fish for animal food would save four millions, this alone would present a most important object. Fish is itself a most palatable and nutritious food, preferred even to butcher's meat where people are accustomed to it. Here then, instead of employing three acres to raise a supply of animal food for one individual, giving little or no occupation, two parts out of three of the expense may be applied to labour. The internal advantages to be drawn from this source, are in themselves of most important consequence, had we no ulterior objects to look to. Every person now fed with animal food costs 9*l.* per annum—on fish he might be equally well supplied for 3*l.* Other nations of Europe may rival us in many of our manufactures, using our own discoveries to arrive at equal or greater perfection. The advantages of our insular situation are our own exclusively. By availing ourselves of them, we shall most effectually promote our own prosperity, as well as advance the comforts of other nations. Thus, instead of calling forth the envy and jealousy of Europe, we

shall become a necessary party to her happiness. We shall be the basis on which the manufacturing system of other countries will in part rest. Thus, by the barter of food, we should obtain those luxuries which have latterly been preserved by the exchange of our manufactures, and be no longer subject to the caprices of fashion that often prove so destructive to particular fabrics. Nor is it to be considered the least evil that results from the salt tax, the extended smuggling which it occasions; not one-half the salt which is consumed is subject to the duty. The whole revenue is collected on fifty thousand tons. Now twelve millions of persons, at a stone a-piece, would consume seventy-five thousand tons: this must fall infinitely below the consumption, when it is considered how much is consumed in manufactures. The revenue of salt in England is a million and a half—in Scotland it scarce pays the collection—in Ireland one hundred and thirty thousand pounds. The quantity of salt supposed to be made annually amounts to five-hundred thousand tons, employing about forty-thousand persons. Take off the duty, and, independently of the fisheries, I will show that agriculture would alone require an equal amount. The value of salt to agriculture has long been known. The annual export of it to the Netherlands has for ages been considerable; it is employed universally in the feeding of their cattle and sheep. The superiority of Flemish farming consists in the economical manner of feeding their stock; permanent pastures are a thing scarce known. Thus every acre applied for feeding produces double, at least, when compared with our best grazing land. Salt is found essential not only to the health but to fattening and milking of cattle. Salt is a preventive of rot and other disorders in sheep. It is estimated the British empire feeds thirty millions of sheep, that the annual loss probably exceeds two per cent. or six hundred thousand sheep. Great part of this loss would be avoided by the free use of salt. Estimating the sheep at 10s. a head, the national loss is three hundred thousand pounds. I believe I am very much within the actual loss sustained.

Thirty millions of sheep at two stone a-piece per annum, would be sixty millions of stones; fourteen millions of cows, at six stone each, eighty four millions of stones; two millions of young cattle, at four stones each, eight millions; one million two hundred thousand draft horses, at

four stone each, four millions eight hundred thousand stones; three hundred thousand young horses, at 3st. each, nine hundred thousand, — making a total of 161,700,000, or equal to five hundred and 50 thousand tons. I take not into the account the large quantity that would be used in preparing damaged hay and straw for food, as well as what would be used as manure. Here, then, at once is a trade opened that would employ forty thousand hands, besides the shipping to transport the salt to various quarters of the kingdom. It is probable, also, that the making salt would be resumed on the coast, and thereby consume much of the refuse coal now of little or no value. I cannot estimate the value of salt to agriculture as likely to produce less than two millions. Admitting the increased consumption of fish, and the application of some of the best lands in the kingdom to the growing of grain instead of grazing, as they are now employed, it is difficult to say to what amount we might be exporters of grain. That Great Britain has required such great importations, has arisen from the undue proportion of grazing ground. Five times more animal food is consumed in England than any other country in Europe. The advantage of salt to agriculture can scarce be calculated too highly.

We must further add the great benefits that would be derived to our manufactures from the repeal of the duty. Various species of salt would be manufactured both for home consumption and export. Salt would be of great advantage in making of iron: it is found to promote its malleability by clearing the coal of sulphur. A noble lord, to whom the country has been greatly indebted for many valuable discoveries, I mean lord Dundonald, has recently discovered that soap can be made from whale oil by the means of salt without an alkali. This eventually may turn out highly beneficial to the future interests of the whale trade. By removing the vexatious restrictions by which the manufacturing of salt is now hampered, the salt will be made stronger and purer; at present they are not admitted to form it from magnesia and other substances. They will also be at liberty to suffer it to remain longer in the pits, by which a salt more adapted for the curing of fish will be made, and prevent the necessity of importing bay salt. I conceive little doubt can be entertained that four times the quantity of salt will be manufactured; thus a capital of

two millions will be created, besides the employment of perhaps 80 thousand persons.

The next object that I would call the attention of the House to is, the extreme hardship this tax imposes on the labouring classes. This is of so cruel and oppressive a nature that it will surprise the House. The working classes consume about a stone of salt per head: taking the average number at five, salt costs the cottager nearly 30 shillings a year. Purchasing, as they do, retail, it is fully 6 shillings a stone. Thus, the working man pays one-twentieth of his income, whilst the most opulent do not pay one-thousandth part of theirs. Nor is this all the hardship: it often happens that when the working man kills his pig, which, to him is his sinking fund, if he cannot sell it at a fair price, he has not the means frequently of purchasing the salt to enable him to cure it. If he purchases fresh herrings he is unable probably to be the curer of them from the same cause. Now, Sir, the opulent have been freed from the income tax, the landed interest from the malt duty; it is but justice something should be done for the people. The great relief it will be to all classes to have the duty on salt repealed, is evident. We have little difficulty in fixing on objects of commutation. The agriculturist will be greatly benefitted;—the tradesman—every class in society will be a gainer and able to pay a direct tax to government for the permission of having salt free. Does the farmer of 100*l.* per annum pay less than 50 shillings annually? Now the advantage he would gain by the use of salt would, in my opinion, be equal to from 10 to 20 pounds per annum. An hon. baronet who has distinguished himself, on all occasions, by his public spirit and benevolence, has taken a most prominent part on the present occasion: in conformity to his wishes I shall enumerate the articles he has proposed as a substitute.

I am perfectly satisfied all parties would be gainers. Sir, Mr. Pitt had certainly made up his mind as to the impolicy of the tax, and determined on commuting it. I believe the right hon. the chancellor of the exchequer was very principally concerned in the report of 1801. I hope his opinions on the subject are not changed. The public call on him is very different from those of former times. The country was then in full activity, and not a hand

unemployed. Riches flowed from all quarters, and the people had the means of procuring food by their exertions. Most lamentably is the case reversed—thousands and thousands are out of employment and nearly starving—they ask for employment—do not our fisheries hold out the strongest hopes of affording it? out of every pound that they produce, sixteen shillings will be expended in labour.

In the present distressful state of the times you have the power of doing them this justice, and, at the same time, benefiting every man in the kingdom, with the exception of those who now enjoy the monopoly of the manufacture of salt. The claims of the people of England on us are, or ought to be, irresistible. Their patience and suffering must speak to every man's heart. The right hon. gentleman has felt these. The measures he has proposed to bring forward has no example; it may relieve but will not remove the evil. The only effectual remedy is to find sources of employment; can he state any means so likely as that the repeal of this odious tax holds out. Mr. Pitt felt and acknowledged its injustice and impolicy. He professed his disposition was, to relieve the country from it. Mr. Addington not only concurred but moved for the committee in 1801 on which the right hon. gentleman opposite to me presided, and which reported so decided an opinion on the ruinous and unjust operation of the tax. Sir, the calls on Mr. Pitt and Mr. Addington for the repeal were in no comparison with those of the present day. Then every hand in the kingdom was employed—all was activity—now the people demand not only a release from what is so oppressive, but, what is of even greater consequence, employment. Can the right hon. gentleman point out any thing more likely, or so likely, to produce it. Whilst the country was flourishing, it would have been unwise to have resorted to experiments: but widely different is our situation—efforts must be made to relieve us. We cannot proceed as we are without ruin. It behoves us, therefore, to cherish every resource that holds out a rational prospect of employment. I am ready to admit that the state of finance of the country is such that a shilling of the taxes cannot be spared—I do not ask it. The hon. mover, with great judgment, has forborne offering any plan of commutation,

but wishes to go into a committee there to inquire into all the bearings of this important subject, and to consider of the objects on which a commutation can be most properly placed. Sir, though I approve of this, I shall remind the hon. gentleman of a part of the plan of an hon. baronet, I mean sir Thomas Bernard, who has, on all occasions, been the strenuous advocate of every measure that could promote the public interest, and to whose perseverance the attention of the country has been called to this question. He recommended a licence of two per cent. on land, one on houses, and a small tax, if absolutely necessary, on cottages of two shillings or half a crown. These objects alone would produce a million. The export of salt and various manufactures would afford a sum that would make up the million and a half. I am satisfied the farmer of 100*l.* per annum, who would have 40 shillings to pay, would find himself not paying more than he now does, and would have all the advantage resulting from the free use of salt, which I cannot estimate at less than 20*l.* per annum. I am satisfied, in my own farm where a stock of 130 head of cattle and 500 sheep, besides a number of horses, are kept, that it would be a saving of 200*l.* per annum. It is in vain to hope for substantial benefits from any measures that can be devised respecting the poor laws till the population are again actively employed. In asking the people to bear a small part towards their own maintenance, it would be wise, just, and politic to begin by giving them more than double the sum that would be requisite to make them perfectly independent. The repeal would give to the working classes a million per annum, benefit those who were to bear the commutation, and afford employment to thousands of thousands. With such prospects in view, I join cordially in the motion for a committee; out of that committee will come a report that will satisfy nine hundred and ninety-nine out of a thousand of the impolicy and injustice of the tax. I am confident, also, Mr. Speaker, it will confirm every statement of advantage I have presumed to anticipate and contribute, in a high degree, to restore the prosperity of the country, whilst it would carry comfort and satisfaction into the dwellings of all the working classes of the empire. To inquire will show we feel for the people, and are anxious to apply every remedy in our power. I con-

jure the right hon. gentleman not to forego an opportunity of so essentially advancing the best interests of the country.

Mr. F. Robinson gave credit to the hon. mover for the fairness of his motives in bringing forward the present question; and he hoped that he would also give him (Mr. R.) credit for impartiality in the view which he should take of the subject. He had in fact come to the question without having any decided opinion on it. He had been very much struck at first with the statements in the pamphlet of Mr. Parkes, but the more he looked at the subject, and at the statements in that pamphlet, the more was he convinced of the exaggerated views of advantage expected from an abolition of the salt duty. He did not mean to contend that the tax was good in itself, but unless it could be shown that the repeal had some extensive advantages, the House ought to pause before they agreed to the repeal of a tax making so considerable a part of our revenue, without being satisfied that a substitute could be found for it. The hon. gentleman by whom the motion for a committee was made, had declined submitting any commutation to the House; but the hon. gentleman, who spoke last, departing from the example of wisdom which he commended, had suggested a commutation. But he was very much mistaken, indeed, if this would not be considered a much more grievous burthen than the tax. The views which that hon. gentleman had taken of the benefits of the repeal, were exaggerated to the greatest extent—it would give immediate life and activity to the industry of the country—it would vivify manufactures—it would provide for all unemployed seamen—it would give a livelihood, and even fortunes to those employed in the fisheries—it would set agriculture up! These were the magnificent advantages which they were taught to expect. With regard to the fisheries, he did not believe that the absence of employment arose out of the duty on salt. Fish was at this moment sold at the lowest price at which it could be sold by the persons who caught it, at 2*d.* a pound; but the utmost difference in price occasioned by the duty would not amount to a fraction of a farthing compared with the 2*d.* It was not the duty, therefore, which could be considered to prevent the consumption. The people who caught the fish did not complain of the duty on salt, but they said they wanted a market. But whatever im-

pediment the salt duty might be to them would be removed by the bill before the House. With respect to mineral alkali, he had to observe, that there was a particular spring in the North of England, which was supposed to be not a common brine spring, though he believed it was, and the persons to whom it belonged were enabled to manufacture salt and mineral alkali without being subjected to duty or any of the regulations of the salt laws. But had any body purchased from them? No, and they had become bankrupts. One of the uses of mineral alkali was dyeing; but the difference occasioned by the salt duty on one yard of cotton or linen would not amount to the fraction of a farthing, and therefore it could not prevent the cotton printer from selling cheap.—Mr. Parkes had enumerated a long list of articles in the manufacture, of which great advantage would be derived from a repeal of duty; but if they looked to most of the articles, they would be found of inconsiderable consequence—sal-ammoniac for instance. Why, the whole used in the country did not exceed two hundred tons—the additional expense occasioned by the duty on the article on which it was employed, was but as a drop of water to the ocean. Mr. Parkes said it was used by ingenious chemists in making experiments in corrosive sublimes and calomels. Many members of that House might have occasionally experienced great benefit from a dose of calomel, but he really did not think that the tax on the quantity of salt used in these articles could amount to much. He certainly was obliged to Mr. Parkes for publishing the book—it gave him much information with respect to subjects with which he was before unacquainted; but he thought he had swelled his list with articles which could hardly be well taken into consideration in a question of this kind. The hon. gentleman who spoke last had estimated the number of sheep in the kingdom at thirty millions, and had supposed that salt would be a nostrum against the rot, while it improved both the mutton and the wool. But if this opinion were general, salt would be generally used by farmers, notwithstanding the duty. Lord Somerville, who was one of the best judges on these subjects, had calculated that one thousand sheep would require a ton of salt in the year. The expense of a ton of salt was 30*l*. So that the charge of this improvement in the treatment of sheep, which was

to ameliorate their mutton, and even their wool, would not be more than 6*d*. or 7*d*. each sheep in the year. Was it possible then, that it was the expense of salt which had prevented its general use in this way? In manure also salt was said to be useful. It was applied either by sowing it on the land, or by mixing it in compost? But what was the quantity required for these purposes? About a bushel per acre. (Mr. Curwen said across the House six bushels). He was surprised to hear a practical man say so—as he was convinced the use of salt in such proportion would entirely destroy vegetation. It was used on arable land to the amount of one two or three bushels an acre—but take the greatest of these quantities—it would not exceed 3*l*. an acre, which was cheaper than any other manure which could be applied. It was pretty evident, therefore, that the dearth of salt at present could not be an obstacle to the use of it. There might be many reasons against the use of salt in these ways—there might be prejudices against it, but it was evident, that it was not necessary to repeal the duty to enable the persons interested to apply it to all purposes of agriculture, if it were really beneficial. While it was obvious, that the reasons chiefly urged for the repeal of this tax were nugatory, it became the House, in the present state of the finances, gravely and seriously to consider before it consented to cut off 1,500,000*l*. from the revenue. In this instance, too, when it was proposed to repeal a tax of long standing, he thought it might fairly be urged, that the person who proposed to abolish the tax, should at the same time point out the means by which the deficiency thus created was to be filled up. As no such means had been pointed out, he could not think it expedient to acquiesce in the motion.

Mr. *W. Smith* said, he could not help taking up the argument where the right hon. gentleman who had preceded him had left it. The right hon. gentleman had said it became the House to pause and consider before it consented to repeal the tax. Now, for the sake of this consideration, which the right hon. gentleman recommended, he should vote for a committee, where the real influence of the tax on manufactures and commerce might be ascertained, not from vague and contradictory assertions, but from accurate and detailed examinations. There was one argument in favour of the repeal of

the tax, even before such an inquiry was resorted to. It was this; every committee which had before sat on the subject had recommended the abolition of the tax, and that measure was never rejected, but when it was brought before the House at large, which proved that every body of men which had thoroughly examined the subject were convinced of the injurious effects of the duty in question. On such a subject, there was no necessity for asperity or party feeling; and he believed that the right hon. gentleman himself would think the repeal a proper measure, if any substitute for the revenue could be found. In his opinion, however, the great advantages which would result from the abolition of the tax, were such that probably the revenue would not be found to sustain any loss, but if it did, was there nothing to counterbalance this loss, in the advantages which would accrue to manufactures and agriculture. The right hon. gentleman had said, that even at present salt was the cheapest manure. This might be true; but when salt was at 15s. a bushel farmers might be but ill disposed to try experiments as to its efficacy, which they would readily undertake if it were 1s. a bushel. If, as it was said, it was not the price of salt which prevented its use in fisheries, why was it granted duty free to a certain part of those fisheries? This fact was alone a sufficient answer to the assertion of the right hon. gentleman. It had been mentioned as an argument against the repeal of the tax, that no petition in favour of that repeal had been received from the fisheries. There were two reasons for this. The persons engaged in those fisheries were convinced that the duty would not be taken off unless the administration proposed that measure; and memorials, without end, on that subject had been presented to the Treasury representing the disadvantages of the duty, and complaining of the restrictions under which the use of the salt, duty free, was allowed to some fisheries, though those restrictions, he admitted, were quite necessary while the duty continued. The second reason why the persons concerned in the fisheries did not petition was, that under the present system, by which a few persons were allowed to take out large quantities of a material (on which was so heavy a tax), duty free, notwithstanding all the restrictions, a source was open to them of considerable illicit profits. As to the memorial from the salt manufacturers

of the county of Chester, it was entitled to very little consideration. When a heavy duty was laid on any article, a monopoly was naturally created in favour of those who had not only capital to defray the expenses of the production of the article, but also to advance the duties. To these individuals no advantage would arise from the repeal of the duties, but, on the contrary, a danger of competition from persons of smaller capitals. It had been said, that an inquiry on the subject of this tax would diminish its present productiveness by suspending the manufacture of it. This seemed an unfounded assertion,—because, as it would be well known that the repeal could not take place in the present year, and as the manufacturers of this article could keep no large stocks, the receipt of the duty would go on precisely as before. The mischievousness of the tax would, he admitted, be much diminished by a permission to use crushed salt, duty free, in fisheries, and to exempt from the tax salt used in compost as manure,—though there would be a great difficulty to accomplish these objects, without opening a door to smuggling. But even if the evils of the tax could be thus reduced, it should be observed it was a duty which pressed on the poor man in a forty fold greater proportion than on the rich. For these reasons he should support the original motion.

Lord Ebrington lamented the thin attendance of members on the discussion of a question so important to so large a part of the community. It was with great pleasure he should support the motion for a committee, which would, he hoped, lead to the final repeal of a duty so oppressive to the labouring classes. It had been said that by a bill which the chancellor of the exchequer was to bring in, it was intended to give a great *bonus* to the fisheries. This bill he had not seen but he had received representations from many persons interested in the fisheries, who represented that they would be injured instead of being benefited, by several of the clauses, and they consequently requested him to oppose them. If this tax were repealed, he could not admit that it would be incumbent on those who proposed the repeal to find a substitute. Economy might render such a substitute unnecessary, but if a substitute were to be provided, he might safely assert there could not be found a tax, the imposition of which would be so injurious to the country as the continua-

tion of this, the operation of which was so injurious on the lower orders.

Sir C. Pole denied that the observation of the right hon. gentleman was correct, that no petitions had been presented from persons concerned in the fisheries for the repeal of this duty. He had presented two that day. He hoped, when the bill before the House was referred to the committee, that some additional exempting clauses would be added, to prevent the ill consequences which were anticipated by the parties for whose benefit it was intended.

Sir John Newport said, that in rising to deliver his sentiments on the present occasion, he was at least free from the imputation of interested motives, for he was not only uninterested in a personal point of view in the issue of this question, but he had no connexion with any party who was so engaged. The motion merely called for a committee, and it was quite plain that if they meant to discuss the subject they had no other course. How else but by an examination before a committee could they understand the details of a question affecting so many branches of the people's industry? And as to the reason which had induced the chancellor of the exchequer to refuse this committee, viz, the probability that some diminution would take place in the receipt of the duties, that would be an objection to any inquiry whatever on the subject of the operation of any tax. Their course of proceeding was different on the question respecting the leather trade, for there they went into the committee, obtained valuable information, and redressed some of the then existing abuses. All that was at present called for was, the sort of inquiry to which parliament always resorted on similar occasions, and on which they had already made a report, which on a former occasion met with the sanction of the right hon. gentleman (the chancellor of the exchequer), who now, it appeared, turned round and took from his pocket a memorial from an interested party, and at once became a convert to its reasoning. Now, what was that reasoning? Why it was, in plain terms, this, "We (the memorialists) say, that if you repeal these duties, great numbers will set up in the same trade with us, our monopoly will be injured, and we pray of you to interpose and secure it to us." Such was the document, and such its argument.—Here he could not but reprobate this practice of the members of go-

vernment suddenly pulling out their *ex parte* pocket documents, and quoting them in debate, without giving any idea of the way in which they were obtained. Why not, in common candour, if the right hon. gentleman must ransack the treasury bureau, have presented to the House, at the same time, the memorials that it was stated had been transmitted for the repeal of the tax? His conduct would have been then somewhat open and correct. The right hon. gentleman had said, that there was no petition presented against the salt duties. Yes, there were, and they would be found on the table of the House, and memorials to the same effect were said to have been piled up in the treasury. The contrariety of sentiment among the fishery persons and agriculturists upon the subject, was, so far from being a ground of opposition to going into a committee, the strongest reason in the world for going into it; for there alone could the truth be ascertained between all parties.—The right hon. gentleman at the head of the board of trade had said, that the effect of salt as a manure was doubtful among agriculturists. He would only say, without pretending to much knowledge on such a subject, that he knew a part of a lawn near his own residence, where, twenty-five years ago, salt had been strewed, and the grass grown on that spot was invariably consumed by the sheep, while they would not touch a blade of that on the adjoining spot, which was not so manured. This was a fact within his own knowledge; and although the ground had not been turned up since the period to which he alluded, the same distinction was to the present hour observable in its quality. If his majesty's government would fairly consider this question, they would do more for the country than they could possibly accomplish by any issue of exchequer bills—in the one case they would be administering permanent relief, and in the other but temporary. He would implore them to pursue the wiser course, and not attempt to prop up a system that was in itself radically wrong, by any little paltry temporary expedient. If the House did not fully examine this question, it would not perform its duty to the public. Let it at least show an inclination to enter upon an examination, or do any thing but reject, *in limine*, an inquiry which all must conscientiously feel to be necessary. It was not by pulling from one's pocket a memorial of a party interested in upholding a

monopoly, that the continuance of an oppressive tax could be made palatable to the people—it was not by an issue of exchequer bills to certain corporations or associations that the situation of the country could be ameliorated. No; such means would never reach the object—it could only be accomplished by abridging the public expenditure, by cutting down the establishments of the country to their proper station, by probing the whole system of the national expense to the bottom, and making it demonstratively plain to the people at large that parliament had not countenanced the issue of one penny beyond what was called for by the actual exigencies of the state.

The *Chancellor of the Exchequer* said, that since he had been at the treasury board no memorial had been received for a repeal of this tax; and though petitions had been presented praying for an inquiry into these duties, there had not been any for its total repeal.

Mr. *Robinson* explained, that he never meant to discourage the use of salt as manure; all he meant to infer was, that the present price could not prevent its use; as, if it really were an object, it was still cheaper than any other article that could be used for the purpose.

Mr. *Rose* was of opinion, that a substitute should be named before they could enter upon so serious a consideration as the abolition of a revenue of 1,500,000*l.* a year. It was no valid objection to the salt tax to say, that it particularly fell on the poorer classes—so did every generally productive tax. What information could they get in a committee that they had not already? It was impossible, after the repeated discussions of this subject, that they could hope to elicit fresh matter in a committee. The evil of this sort of inquiries was, that during their operation the revenue became seriously injured, from the doubts that over-hung the speculations of those whose interests were to be in the end affected by the consideration. So it was in this very case. The defalcation in the last quarter's return of revenue was 80,000*l.*, and the manufacturers did not conceal the cause of it; they did not hesitate to say, that they could not work freely, until the subject was brought to a final issue one way or another. Here was the case of a tax subsisting in its present state for a great number of years, and now it was proposed to shake it off, without any suggestion for supplying the great

deficit that would be thus occasioned in the revenue of the country. Mr. *Pitt's* sentiments relative to these laws had been incorrectly stated. That great statesman was never so sanguine an advocate for their repeal, as he had been represented to be. He (Mr. *Rose*) also denied the benefit that it was imagined would arise to the agricultural classes by this repeal. In Ireland the duty on salt was by no means what it was here, and was it ever used in that country for agricultural purposes?—[“Often,” from sir John Newport.]—Well, he had never before heard so. There was no duty on it in the Isle of Man, and the farmers there never used it; nor when the tax was repealed in England, was it ever used for agricultural purposes. The fisheries were also generally indifferent about it—he knew the Deep Sea company (the only national one) was. As to the operation of the tax upon the poor generally, it was greatly exaggerated. He could not conceive how the hon. gentleman could be persuaded, that a poor man's consumption of salt amounted to a 20th part of his income. It had been calculated, that the consumption for a man, his wife, and three children, amounted to no more than 28 or 29*lbs.* in a year. On the whole, he was convinced, that no possible advantage could be derived from the committee.

Sir *T. Acland* said, the tax on salt pressed on the lowest cottager. The high price of salt prevented the poor from resorting to one of the best means of husbanding their food. It was to be recollected too, that an addition of 15 or 20 shillings on the pig which he killed at the end of the year, was a most serious tax on a labourer. The vexatiousness of the tax was not less than its oppressiveness; for even in the bill which was to be brought in to relieve certain persons from its operation, many of the clauses were obnoxious to the very persons whom they were intended to relieve, on account of their restrictions and prohibitions. Wishing for the abolition of the tax, he was anxious to go into the committee, not with a view of putting an end to the salt duties in the present year, but in order to lay a foundation for doing it away at some future period. If the proposed inquiry were gone into, he had no doubt a fit substitute for the tax in question might be found, and he was therefore decidedly in favour of the motion, as he wished such steps to be taken as should indicate a desire to put an

end to it at the first moment this should be found practicable.

Mr. *Calcraft*, in reply, animadverted strongly upon the conduct of the board of trade, with regard to the measure under consideration. For it appeared, that the application of half a dozen interested persons to that board, had more weight with his majesty's ministers, and especially with the right hon. gentleman who presided at that board, than the general voice of the country, or the report of a committee of that House. But if the private application of interested individuals was thus to be preferred to the public interest, nay, to the consistency of ministers themselves, where were the people to look for redress, or for the candid consideration of their case? He trusted, however, that that House would not sanction such a principle, or produce the impression to which it was but too likely to lead; and, therefore, he called upon the House to accede to the committee, which he had felt it his duty to move. It was to be recollected, that he did not propose the repeal of the tax under discussion; that, on the contrary, he admitted the question to be doubtful, and therefore he suggested the propriety of referring it to the consideration of a select committee. But the right hon. the treasurer of the navy had distinctly stated, that it was desirable to repeal the tax altogether, if a convenient substitute for it could be devised. Yet, strange to tell, notwithstanding this declaration, the right hon. gentleman's course of argument was quite in favour of the tax, and he had declared his intention to vote against a motion, which merely proposed to consider the propriety of repealing this tax! As to the argument of the chancellor of the exchequer upon the re-enactment of the salt tax in 1732, notwithstanding its repeal about three years before, the right hon. gentleman should consider the material difference of information between that period and the present, as well with respect to chymical as to other points. The right hon. gentleman, stated that the revenue would suffer greatly if this tax was abandoned; and intimated that those who proposed its repeal were bound to find a substitute. He, however,

did not conceive that to be any part of his duty as a member of parliament. He had pointed out a tax which was oppressive to the people, and injurious to the country; and on these grounds he thought it ought to be repealed, even though the chancellor of the exchequer, with all his ingenuity in the art of taxation, should be unable to find a substitute. All he asked of the House was, that it should act with consistency, and inquire whether the tax might not with safety be repealed, and another substituted.

The previous question being put, the House divided:

Ayes.. 70

Noes..... 79

Majority against the motion..... —9

List of the Minority.

Atkins, alderman	Mackintosh, sir J.
Acland, sir T.	Martin, H.
Allan, Geo.	Martin, J.
Anson, sir G.	Milton, visc.
Atherley, A.	Monck, sir C.
Aubrey, sir J.	Morland, S. B.
Blair, J. H.	Moore, Peter
Bennet, hon. H. G.	Newman, R. W.
Barham, J.	Newport, sir J.
Baring, sir T.	Ord, Wm.
Barnett, J.	Ossulston, lord
Brand, hon. Thos.	Palmer, C.
Brougham, Henry	Parnell, sir H.
Burrell, hon. P. D.	Philips, George
Bentinck, lord W.	Ponsonby, rt. hon. G.
Barclay, C.	Power, Richard
Bolland, J.	Prittie, hon. F. A.
Babington, Thos.	Proby, hon. capt.
Browne, D.	Phillimore, Dr.
Campbell, gen. D.	Portman, E. B.
Carew, R. S.	Protheroe, E.
Curwen, J. C.	Ridley, sir M. W.
Dickenson, Wm.	Romilly, sir S.
Duncannon, visc.	Savile, A.
Ebrington, visc.	Sharp, Richard
Egerton, Wm.	Smyth, W.
Fane, J.	Stanley, lord
Gordon, Robt.	Tremayne, J. H.
Grenfell, Pascoe	Tierney, rt. hon. G.
Gascoyne, gen.	Waldegrave, hon. W.
Hamilton, lord A.	Wilkins, Walter
Hornby, E.	Wynn, C. W.
Knox, T.	Wilberforce, W.
Lamb, hon. W.	TELLERS.
Lefevre, C. S.	Calcraft, J.
Lemon, sir W.	Davenport, D.
Lyttelton, hon. W.	PAIRED OFF.
Leigh, J. H.	Hobhouse, sir B.

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